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# JOURNAL

OF THE

# A S S E M B L Y

OF THE

## STATE OF NEW YORK:

AT THEIR

ONE HUNDRED AND THIRD SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE  
SIXTH DAY OF JANUARY, 1880.

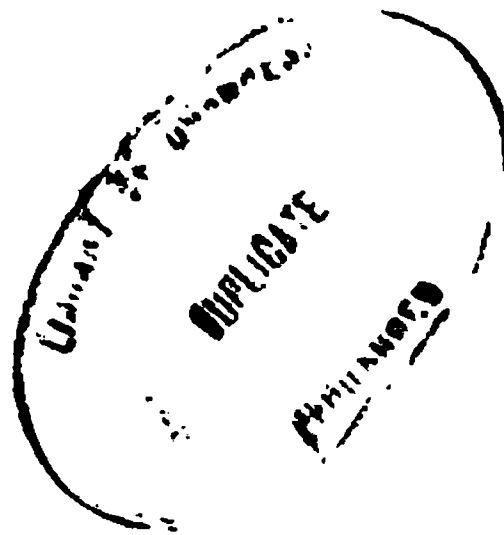
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VOLUME II.



ALBANY:  
WEED, PARSONS & CO., PRINTERS.  
1880.

*Int  
V 7 6*



{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sipp
Andrews	Davis	McAvoy	Sisson
Baker, B. F.	Deane	McCabe	Skinner
Baker, C. S.	Duell	McDonald	Slingerland
Beach	Duguid	Miller	Tallmadge
Beates	Evans	Mitchell	Thilemann
Benedict, E. D.	Fish	Mooers	Titus
Benedict, T. E.	Fiske	Morgan	Tormey
Brennan	Gibbs	Newman	Tozier
Bridges	Gillette	Peck	Travis
Brodsky	Gorsline	Phillips	Tuthill, H. H.
Bullock	Griggs	Pitcher	Tuttle, R. M.
Carpenter, E. A.	Gwinup	Potter	Varnum
Carpenter, I. S.	Havens	Potts	Warner
Case	Hoffman	Rhodes	Wells, D. A.
Chase	Howland	Russell	Wells, J. L.
Childs	Hurd	Sanders	Weston
Clark	Husted	Seeley	Wren
Comstock	Ingersoll	Shanley	Youngs
Congdon	Lefever	Sherman	Mr. Speaker
Crapser	Liddle	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816,' and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880,'" having been announced for third reading,

Mr. Comstock moved to recommit the same to the committee on affairs of cities with instructions to amend as follows:

Amend section 9, page 7, by striking out from line 6 the words "laws of 1880," and substitute therefor the words "act hereby amended."

Mr. Rhodes moved to further instruct the committee to strike out the enacting clause.

After debate,

Mr. Crapser moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question on the motion of Mr. Comstock, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

{ AYES 21 }  
{ NOES 69 }

Those who voted in the affirmative, were

Alvord	Ellis	McDonald	Shanley
Benedict, E. D.	Gibbs	McTernan	Terpeny
Benedict, T. E.	Gwinup	Newman	Thilemann

Bennett  
Childs  
Cushing

Havens  
Hoffman

Parker  
Rhodes

Tormey  
Treasor

Those who voted in the negative, were

Andrews	Curtis	Kennedy	Sipp
Baker, B. F.	Davis	Lefever	Slingerland
Baker, C. S.	Deane .	Liddle	Tallmadge
Bradley	Douglass	Lindsay	Terry
Brennan	Duell	Low	Titus
Bridges	Duguid	McCabe	Tozier
Brodsky	Evans	Miller	Travis
Carpenter, E. A.	Ferris	Mitchell	Tuthill, H. H.
Carpenter, I. S.	Fish	Mooers	Tuttle, R. M.
Case	Fiske	Morgan	Van Valkenburgh
Chamberlain	Gillette	Nowlan	Varnum
Chase	Gorsline	Peck	Warner
Chickering	Gray	Phillips	Wells, D. A.
Clark	Griggs	Potts	Wells, J. L.
Comstock	Howland	Russell	Weston
Congdon	Hurd	Sanders	Wren
Crapser	Husted	Seeley	Mr. Speaker
Oullinan			

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 17 }

Those who voted in the affirmative, were

Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Skinner
Baker, C. S.	Deane	Low	Slingerland
Beach	Douglass	McCabe	Tallmadge
Beates	Duell	Miller	Terry
Bradley	Evans	Mitchell	Titus
Brennan	Ferris	Mooers	Tozier
Bridges	Fish	Morgan	Travis
Brodsky	Fiske	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Gillette	Peck	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Gray	Potter	Varnum
Chickering	Griggs	Potts	Warner
Childs	Howland	Root	Waterbury
Clark	Hurd	Russell	Wells, D. A.
Comstock	Husted	Sanders	Wells, J. L.
Congdon	Ingersoll	Seeley	Weston
Crapser	Kennedy	Sherman	Wren
Cullinan	Lefever	Shuit	Youngs

Those who voted in the negative, were

Alvord	Gibbs	McDonald	Rhodes
Benedict, T. E.	Gwinup	McTernan	Shanley
Catlin	Havens	Newman	Thilemann
Cushing	Hoffman	Parker	Treasor
Ellis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" passed April 28, 1870, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Skinner
Andrews	Curtis	McCabe	Slingerland
Baker, B. F.	Davis	Miller	Tallmadge
Baker, C. S.	Deane	Mitchell	Terpeny
Beach	Douglass	Mooers	Terry
Benedict, T. E.	Duell	Newman	Titus
Bradley	Evans	Parker	Tormey
Brennan	Ferris	Peck	Tozier
Bridges	Fish	Phillips	Travis
Brodsky	Fiske	Pitcher	Tuthill, H. H.
Bullock	Gorsline	Potts	Tuttle, R. M.
Carpenter, E. A.	Griggs	Rhodes	Van Valkenburgh
Carpenter, I. S.	Gwinup	Root	Varnum
Catlin	Hoffman	Russell	Waterbury
Chamberlain	Howland	Sanders	Wells, D. A.
Chickering	Hurd	Seeley	Wells, J. L.
Childs	Husted	Shanley	Weston
Clark	Ingersoll	Sherman	Wren
Comstock	Kennedy	Shuit	Youngs
Congdon	Lefever	Sisson	Mr. Speaker
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Curtis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 603, general orders No. 690, entitled "An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock, books and papers relating to the stock of the said company to the officers of the said company," be now read.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill having been announced for a third reading,

Mr. Curtis moved to recommit said bill to the committee on railroads, with instructions to amend as follows:

Change word "second," in line 3, of section 1, to "sixth;" the word "April," in line 4, section 1, to "May," and the words "twelve o'clock noon" to "two o'clock P. M."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	McCabe	Sipp
Baker, C. S.	Cushing	McTernan	Skinner
Beach	Davis	Mead	Tallmadge
Beates	Deane	Miller	Terpeny
Benedict, E. D.	Douglass	Mitchell	Terry
Benedict, T. E.	Duell	Mooers	Titus
Bradley	Evans	Morgan	Tozier
Brennan	Ferris	Newman	Travis
Bridges	Fish	Nowlan	Treanor
Brodsky	Gibbs	Parker	Tully
Bullock	Gillette	Peck	Tuttle, R. M.
Carpenter, E. A.	Gorsline	Phillips	Van Valkenburgh
Case	Griggs	Pitcher	Varnum
Catlin	Gwinup	Potts	Walsh
Chickering	Hoffman	Rhodes	Waterbury
Childs	Howland	Root	Wells, D. A.
Clark	Hurd	Russell	Wells, J. L.
Comstock	Husted	Sanders	Weston
Congdon	Ingersoll	Seeley	Wren
Cookinham	Kennedy	Sherman	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act concerning tramps," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Terpeny
Baker, B. F.	Curtis	McCabe	Terry
Beach	Davis	Miller	Thilemann
Beates	Douglass	Mitchell	Titus
Benedict, E. D.	Duguid	Mooers	Tozier
Bradley	Ellis	Morgan	Travis
Brennan	Evans	Nowlan	Treanor
Bridges	Ferris	Parker	Tuthill, H. H.
Brodsky	Fish	Phillips	Tuttle, R. M.
Carpenter, E. A.	Gillette	Potts	Van Valkenburgh
Carpenter, I. S.	Gorsline	Root	Varnum
Case	Gray	Russell	Warner
Catlin	Griggs	Sanders	Waterbury
Chickering	Havens	Seeley	Wells, D. A.
Childs	Hoffman	Sherman	Wells, J. L.
Clark	Howland	Skinner	Weston
Comstock	Hurd	Slingerland	Youngs
Congdon	Husted	Steele	Mr. Speaker
Crapser	Kennedy	Tallmadge	

Those who voted in the negative, were

Clancy	Gwinup	Newman	Shanley
Cushing			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 178, general orders No. 630, entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Mitchell, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate 'the board of Home Missions of the Presbyterian Church in the United States of America,' and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, and to vest in such new corporation the corporate rights, franchises and privileges of the former body, and also to enable said new corporation to accept a transfer of the property of 'the Trustees of the Board of Domestic Missions of the general assembly of the Presbyterian Church in the United States of America,' and to become the legal successor of the said last mentioned corporation, passed April 19, 1872,'" and said bill was ordered to a third reading.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act for the better protection of the traveling public."

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to authorize the collector or receiver of taxes for the town of Liberty, in Sullivan county, to renew his bond and to extend the time for receiving and collecting the unpaid taxes in said town."

"An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York, by authorizing the closing of Marketfield street, and the sale of a lot of land and building on Stone street in said city, the property of the mayor, aldermen and commonalty of the city of New York."

"An act to amend chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture.'"

"An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester."

"An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor the Assembly bill entitled "An act conferring additional powers upon the board of supervisors of Franklin county," with a message that they had passed the same without amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

The hour of 2 having arrived, the House took a recess until 4 o'clock, P. M.



## FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lefever (introductory No. 1077), entitled "An act to amend chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes relating to grants of land under water,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ellis (introductory No. 1037), entitled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'of distraining cattle and other chattels doing damage, and of distraining in other cases,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1021), entitled "An act to amend an act requiring compensation for causing death by wrongful act, neglect or default," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 124), entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

A message from the Senate was received and read, informing of concurrence in the resolutions relative to the printing of 500 copies of the report of the New York State Cattle Commission; also, with reference to the printing of 1,000 copies of the report of the New York Fishery Commission.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 124), entitled "An act fixing the amount to be paid on a policy of insurance," reported adversely thereto.

Mr. Ingersoll moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 60 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord  
Baker, B. F.  
Beach

Costello  
Curtis  
Cushing

Lefever  
Liddle  
Lindsay

Skinner  
Slingerland  
Steele

Beates	Congdon	Low	Strait
Benedict, E. D.	Douglass	McAvoy	Terpeny
Benedict, T. E.	Fish	McTernan	Terry
Bennett	Gibbs	Miller	Thilemann
Bridges	Gorsline	Mooers	Tozier
Brodsky	Gray	Newman	Travis
Bullock	Gwinup	Phillips	Tully
Case	Havens	Sheridan	Tuthill, H. H.
Chickering	Hoffman	Sherman	Warner
Clark	Hurd	Shuit	Waterbury
Cohen	Ingersoll	Sipp	Weston
Comstock	Kennedy	Sisson	Wren

Those who voted in the negative, were

Baker, C. S.	Crapser	Gillette	Russell
Bradley	Davis	Griggs	Shanley
Carpenter, E. A.	Deane	Husted	Tuttle, R. M.
Carpenter, I. S.	Duell	Morgan	Varnum
Catlin	Ellis	Nowlan	Wells, J. L.
Chamberlain	Ferris	Potts	Youngs
Childs	Fiske	Root	

*Ordered*, That said bill be committed to the committee of the whole.

Privileges of the floor were granted to Hon. Daniel Patterson, former member of this House.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Fish (introductory No. 1079), entitled "An act for the incorporation of benevolent, charitable, scientific and missionary societies," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. — Benedict (introductory No. 775), entitled "An act to further amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, amended by the Laws of 1860, chapter 163, and the Laws of 1861, chapter 94," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 325), entitled "An act to incorporate the German Masonic Temple Association of the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Steele, from the joint select committee on the revision of the assessment and tax laws, to which was referred the Senate bill (introductory No. 175, printed No. 99), entitled "An act to provide for the review and correction of illegal, erroneous or unequal assessments," reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Mitchell, and by unanimous consent, the committee of the whole was discharged from the further consideration of

the bill entitled "An act to amend an act entitled 'An act to incorporate the New York Cotton Exchange,' passed April 8, 1871," and said bill was ordered to a third reading.

Privileges of the floor were granted to Mr. George Scramling.

By unanimous consent,

Mr. I. S. Carpenter introduced a bill entitled "An act to provide uniform fees for the clerks of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Gray introduced a bill entitled "An act to authorize the Superintendent of Public Works to sell the ice which forms on the canals of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Weston offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 557, general orders No. 636, entitled "An act for the appointment of game and fish protectors," be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 216, general orders No. 762, relating to encroachments on Kinderhook creek, Columbia county, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 246), entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 71 }  
{ NOES 19 }

Those who voted in the affirmative, were

Baker, B. F.	Crapser	Howland	Skinner
Baker, C. S.	Cullinan	Hurd	Slingerland
Beach	Curtis	Kennedy	Steele
Beates	Cushing	Lefever	Strait
Bennett	Davis	Liddle	Tallmadge
Bridges	Deane	McCabe	Terpeny
Brodsky	Dougherty	McDonald	Terry
Bullock	Douglass	Mooers	Titus
Carpenter, E. A.	Duell	Morgan	Travis
Carpenter, I. S.	Ellis	Nowlan	Treanor
Case	Evans	Peck	Tuthill, H. H.
Catlin	Ferris	Phillips	Tuttle, R. M.
Chamberlain	Fish	Potts	Warner
Chickering	Fiske	Root	Waterbury
Childs	Gillette	Sanders	Wells, D. A.
Clancy	Gray	Seeley	Weston
Cohen	Griggs	Sheridan	Youngs
Congdon	Gwinup	Sisson	

Those who voted in the negative, were

Alvord	Gibbs	McCarthy	Thilemann
Benedict, T. E.	Havens	McTernan	Tormey
Bradley	Hoffman	Miller	Tully
Chase	Lindsay	Newman	Walsh
Costello	McAvoy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lindsay	Sisson
Baker, B. F.	Crapser	McAvoy	Skinner
Baker, C. S.	Curtis	McCabe	Slingerland
Beach	Davis	McDonald	Steele
Beates	Dougherty	Miller	Strait
Benedict, T. E.	Duell	Mitchell	Tallmadge
Bradley	Evans	Mooers	Terpeny
Bridges	Ferris	Newman	Terry
Brodsky	Fish	Nowlan	Thilemann
Bullock	Fiske	Parker	Tozier
Carpenter, E. A.	Fitzgerald	Peck	Treanor
Carpenter, I. S.	Gray	Phillips	Tuthill, H. H.
Case	Griggs	Potts	Tuttle, R. M.
Chamberlain	Gwinup	Rhodes	Warner
Chase	Havens	Root	Waterbury
Chickering	Hoffman	Russell	Wells, D. A.
Childs	Howland	Sanders	Weston

Clark  
Cohen  
Comstock  
Congdon

Ingersoll  
Kennedy  
Lefever  
Liddle

Seeley  
Shanley  
Sipp

Wiley  
Wren  
Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled "An act to place and maintain shareholders of State banks in the assessment and taxation of their shares of stock upon an equality with shareholders of National banks," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mitchell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sherman
Baker, B. F.	Curtis	Kennedy	Shuit
Beach	Cushing	Lefever	Sipp
Beates	Davis	Liddle	Sisson
Benedict, E. D.	Deane	Lindsay	Skinner
Benedict, T. E.	Douglass	McAvoy	Slingerland
Bradley	Duell	McDonald	Terpeny
Bridges	Duguid	Miller	Terry
Brodsky	Ellis	Mitchell	Titus
Bullock	Evans	Mooers	Travis
Carpenter, E. A.	Ferris	Morgan	Treanor
Carpenter, I. S.	Fish	Newman	Tuthill, H. H.
Case	Gibbs	Nowlan	Tuttle, R. M.
Catlin	Gorsline	Parker	Varnum
Chamberlain	Gray	Phillips	Warner
Chase	Griggs	Potts	Wells, D. A.
Chickering	Gwinup	Rhodes	Wells, J. L.
Clark	Havens	Root	Weston
Cohen	Hoffman	Russell	Wiley
Congdon	Hurd	Seeley	Youngs
Costello	Husted	Sheridan	

Those who voted in the negative, were

Peck

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to enable any town to abolish the office of railroad commissioner and to authorize the supervisor of such town to discharge the duties now pertaining to said office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sipp
Baker, B. F.	Crapser	Lefever	Sissor
Baker, C. S.	Cullinan	Liddle	Slingerland
Beach	Curtis	Lindsay	Steele
Beates	Cushing	Low	Strait
Benedict, E. D.	Davis	Miller	Tallmadge
Benedict, T. E.	Douglass	Mitchell	Terpeny
Bradley	Duell	Mooers	Terry
Bridges	Duguid	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	Parker	Treanor
Carpenter, I. S.	Gibbs	Peck	Tully
Case	Gillette	Phillips	Tuthill, H. H.
Catlin	Gorsline	Potts	Tuttle, R. M.
Chamberlain	Gray	Rhodes	Warner
Chase	Gwinup	Root	Waterbury
Chickering	Havens	Russell	Weston
Childs	Hoffman	Seeley	Wiley
Clark	Hurd	Sheridan	Youngs
Comstock	Ingersoll	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sisson
Baker, B. F.	Douglass	Low	Skinner
Beach	Duell	Miller	Slingerland
Beates	Ellis	Mitchell	Steele
Benedict, T. E.	Evans	Mooers	Strait
Bradley	Ferris	Morgan	Tallmadge
Bridges	Fish	Newman	Terpeny
Brodsky	Fiske	Nowlan	Terry
Bullock	Gillette	Parker	Titus
Carpenter, E. A.	Gorsline	Peck	Travis
Carpenter, I. S.	Gray	Phillips	Treanor
Case	Gwinup	Potter	Tully
Chamberlain	Havens	Potts	Tuttle, R. M.
Chase	Hoffman	Rhodes	Varnum
Childs	Howland	Root	Warner
Clark	Hurd	Russell	Waterbury
Congdon	Ingersoll	Seeley	Wells, J. L.
Crapser	Kennedy	Shanley	Weston
Cullinan	Lefever	Shermar	Wren
Curtis	Liddle	Shuit	Youngs
Davis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize and direct the board of supervisors of Kings county to make suitable provisions to reimburse

Walter L. Livingston for all legitimate costs, counsel fees and expenses which have been incurred by him in and about a certain action of quo warranto brought against him to oust him from the office of surrogate of the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McTernan	Slingerland
Beates	Douglass	Miller	Steele
Benedict, E. D.	Duell	Mitchell	Tallmadge
Benedict, T. E.	Duguid	Mooers	Terpeny
Bradley	Ellis	Morgan	Terry
Bridges	Evans	Newman	Titus
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fish	Parker	Travis
Carpenter, E. A.	Gillette	Peck	Tully
Carpenter, I. S.	Gorsline	Phillips	Tuthill, H. H.
Case	Gray	Potter	Tuttle, R. M.
Chase	Griggs	Potts	Varnum
Chickering	Hoffman	Rhodes	Warner
Childs	Howland	Root	Waterbury
Clark	Hurd	Russell	Wells, J. L.
Comstock	Ingersoll	Sanders	Weston
Congdon	Kennedy	Seeley	Wren
Crapser	Lefever	Sherman	Youngs
Cullinan			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sipp
Baker, B. F.	Deane	McDonald	Sisson
Baker, C. S.	Douglass	Miller	Skinner
Beach	Duell	Mitchell	Slingerland
Beates	Duguid	Mooers	Steele
Benedict, E. D.	Ellis	Morgan	Strait
Benedict, T. E.	Evans	Newman	Tallmadge
Bradley	Ferris	Nowlan	Terpeny
Brodsky	Fish	Parker	Terry
Bullock	Gillette	Peck	Titus



Carpenter, I. S.	Gorsline	Phillips	Tozier
Case	Gray	Potter	Travis
Catlin	Gwinup	Potts	Tuthill, H. H.
Chamberlain	Hoffman	Rhodes	Tuttle, R. M.
Chase	Howland	Root	Varnum
Chickering	Hurd	Russell	Warner
Childs	Ingersoll	Sanders	Waterbury
Clark	Kennedy	Seeley	Wells, D. A.
Comstock	Lefever	Sheridan	Wells, J. L.
Congdon	Liddle	Sherman	Weston
Crapser	Lindsay	Shuit	Youngs

Those who voted in the negative, were  
Bridges                      Griggs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the payment of assessments for local improvements in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Dougherty	Low	Sisson
Beates	Douglass	McDonald	Slingerland
Benedict, E. D.	Duell	Miller	Steele
Brodsky	Ellis	Mitchell	Strait
Bullock	Ferris	Mooers	Tallmadge
Carpenter, I. S.	Fish	Morgan	Terpeny
Case	Gibbs	Newman	Terry
Catlin	Gillette	Nowlan	Titus
Chamberlain	Gorsline	Peck	Tozier
Chase	Gray	Phillips	Travis
Chickering	Griggs	Potter	Tuthill, H. H.
Childs	Gwinup	Potts	Tuttle, R. M.
Clark	Havens	Rhodes	Varnum
Comstock	Hoffman	Root	Warner
Congdon	Hurd	Russell	Waterbury
Crapser	Ingersoll	Sanders	Wells, J. L.
Cullinan	Kennedy	Seeley	Weston
Curtis	Lefever	Sherman	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Baker, C. S.	Douglass	McAvoy	Sisson
Beach	Duell	McDonald	Skinner
Beates	Duguid	McTernan	Slingerland
Benedict, T. E.	Ellis	Miller	Steele
Bradley	Evans	Mitchell	Strait
Brennan	Fish	Mooers	Tallmadge
Bridges	Gibbs	Morgan	Terpeny
Brodsky	Gillette	Newman	Terry
Bullock	Gorsline	Nowlan	Titus
Carpenter, I. S.	Gray	Peck	Tormey
Case	Griggs	Phillips	Tozier
Catlin	Gwinup	Potts	Travis
Chamberlain	Havens	Rhodes	Tuttle, R. M.
Chase	Hoffman	Root	Varnum
Chickering	Howland	Russell	Warner
Childs	Hurd	Sanders	Waterbury
Clark	Husted	Seeley	Wells, J. L.
Comstock	Ingersoll	Shanley	Weston
Congdon	Kennedy	Sheridan	Wiley
Curtis	Lefever	Sherman	Youngs
Davis	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Sherman
Baker, B. F.	Crapser	Liddle	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	Miller	Skinner
Benedict, E. D.	Dougherty	Mitchell	Slingerland
Benedict, T. E.	Douglass	Mooers	Steele
Bradley	Duguid	Morgan	Tallmadge
Bridges	Ellis	Newman	Terpeny
Brodsky	Ferris	Nowlan	Terry
Bullock	Fish	Peck	Titus
Carpenter, E. A.	Gibbs	Phillips	Tozier
Carpenter, I. S.	Gillette	Potts	Travis
Case	Gorsline	Rhodes	Van Valkenburgh

Catlin  
Chamberlain  
Chase  
Chickering  
Childs  
Clark  
Comstock

Gray  
Griggs  
Howland  
Hurd  
Husted  
Ingersoll  
Kennedy

Roberts  
Root  
Russell  
Sanders  
Seeley  
Sheridan

Varnum  
Warner  
Waterbury  
Wells, J. L.  
Weston  
Youngs

Those who voted in the negative, were  
Gwinup                      Havens.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for repairing and enlarging the City Hall in the city of Albany, for the use of said city, and the use of the county of Albany, and to provide means for the payment therefor," being announced for a third reading, Mr. Shanley moved to recommit the same to the committee on affairs of cities, with amendment.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Bradley  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Chamberlain  
Chase  
Chickering  
Childs  
Comstock

Congdon  
Crapser  
Cullinan  
Curtis  
Davis  
Deane  
Douglass  
Duell  
Duguid  
Evans  
Ferris  
Fish  
Gorsline  
Gray  
Griggs  
Howland  
Hurd  
Ingersoll

Kennedy  
Lefever  
Liddle  
Lindsay  
Low  
Mitchell  
Mooers  
Morgan  
Nowlan  
Peck  
Phillips  
Potts  
Root  
Russell  
Seeley  
Sherman  
Shuit  
Sipp

Sisson  
Skinner  
Slingerland  
Steele  
Terpeny  
Terry  
Titus  
Tozier  
Travis  
Tuthill, H. H.  
Tuttle, R. M.  
Varnum  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren  
Youngs

Those who voted in the negative, were

Benedict, E. D.  
Benedict, T. E.  
Catlin  
Clancy  
Cohen  
Costello  
Cushing

Dougherty  
Gibbs  
Gwinup  
Havens  
Hoffman  
McCarthy

McDonald  
McTernan  
Newman  
Shanley  
Sheridan  
Strait

Tallmadge  
Thiemann  
Treanor  
Tully  
Walsh  
Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of six having arrived, the house adjourned.

## THURSDAY MORNING, APRIL 22, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Temple, East Albany.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Sanders on account of sickness.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Low	Sipp
Andrews	Crapser	McCabe	Skinner
Baker, C. S.	Cullinan	Mead	Steele
Beach	Curtis	Miller	Tallmadge
Beates	Davis	Mooers	Terpeny
Benedict, E. D.	Deane	Morgan	Titus
Benedict, T. E.	Douglass	Nowlan	Tozier
Bradley	Duell	O'Brien	Travis
Brennan	Ellis	Parker	Treanor
Bridges	Evans	Peck	Tuthill, H. H.
Bullock	Ferris	Phillips	Van Valkenburgh
Carpenter, E. A.	Fish	Potts	Varnum
Carpenter, I. S.	Fiske	Root	Waterbury
Case	Gray	Russell	Wells, D. A.
Chamberlain	Gwinup	Seeley	Wells, J. L.
Chickering	Havens	Sheridan	Weston
Childs	Lefever	Sherman	Youngs
Comstock	Lindsay	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sipp
Andrews	Cullinan	Kennedy	Skinner
Baker, C. S.	Curtis	Lefever	Steele
Beach	Cushing	Lindsay	Tallmadge
Beates	Davis	Low	Terpeny
Benedict, T. E.	Deane	McCabe	Titus
Bradley	Douglass	Mooers	Tozier
Brennan	Duell	Morgan	Travis
Bridges	Duguid	Nowlan	Treanor
Brodsky	Ellis	O'Brien	Tuthill, H. H.
Bullock	Evans	Parker	Tuttle, R. M.
Carpenter, E. A.	Ferris	Peck	Van Valkenburgh
Carpenter, I. S.	Fish	Phillips	Varnum
Case	Fiske	Potts	Warner
Chamberlain	Gorsline	Root	Waterbury
Chickering	Gray	Russell	Wells, D. A.
Childs	Griggs	Seeley	Wells, J. L.
Comstock	Howland	Sherman	Weston
Congdon	Hurd	Shuit	Wren

Those who voted in the negative, were

Benedict, E. D.	Gibbs	McAvoy	Newman
Clancy	Gwinup	McTernan	Rhodes
Cohen	Havens	Mead	Sheridan
Dougherty	Hoffman	Miller	Tully

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the right, title and interest of the People of the State of New York, in Yates county, to Elbert Ball Porter and Eugene D. Porter, heirs at law of Laura Ball Horing," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Skinner
Andrews	Davis	Lindsay	Slingerland
Baker, B. F.	Deane	Low	Steele
Baker, C. S.	Dougherty	McCabe	Strait
Beach	Douglass	Miller	Tallmadge
Beates	Duell	Mooers	Terpeny
Benedict, E. D.	Duguid	Morgan	Titus
Benedict, T. E.	Ellis	Nowlan	Tozier
Bradley	Evans	O'Brien	Travis
Brennan	Ferris	Parker	Treanor
Brodsky	Fish	Peck	Tuthill, H. H.
Bullock	Fiske	Phillips	Tuttle, R. M.
Carpenter, E. A.	Gorsline	Potter	Van Valkenburgh
Carpenter, I. S.	Gray	Potts	Varnum
Case	Griggs	Rhodes	Warner
Chickering	Gwinup	Root	Waterbury
Childs	Havens	Russell	Wells, D. A.

Cohen	Hoffman	Seeley	Wells, J. L.
Comstock	Howland	Sheridan	Weston
Congdon	Hurd	Sherman	Wren
Crapser	Ingersoll	Shuit	Youngs
Cullinan	Kennedy	Sipp	Mr. Speaker
Curtis			

Those who voted in the negative, were  
Newman

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank road, in the county of Erie, and contracting said road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sipp
Andrews	Costello	Kennedy	Skinner
Baker, B. F.	Cullinan	Lefever	Slingerland
Baker, C. S.	Curtis	Lindsay	Steele
Beach	Davis	McCabe	Strait
Beates	Deane	McTernan	Tallmadge
Benedict, E. D.	Douglass	Miller	Terpeny
Benedict, T. E.	Duell	Mooers	Titus
Bradley	Duguid	Morgan	Tozier
Brennan	Ellis	Newman	Travis
Bridges	Evans	Nowlan	Tully
Brodsky	Ferris	O'Brien	Tuthill, H. H.
Bullock	Fish	Parker	Tuttle, R. M.
Carpenter, E. A.	Fiske	Phillips	Van Valkenburgh
Carpenter, I. S.	Gibbs	Potts	Varnum
Case	Gorsline	Root	Warner
Chickering	Gray	Russell	Waterbury
Childs	Griggs	Seeley	Wells, D. A.
Clark	Gwinup	Sheridan	Wells, J. L.
Cohen	Howland	Sherman	Weston
Comstock	Hurd	Shuit	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the sheriff of the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Skinner
Andrews	Cushing	McAvoy	Steele

Baker, B. F.	Davis	McCabe	Strait
Baker, C. S.	Deane	McDonald	Tallmadge
Beach	Dougherty	McTernan	Terpeny
Beates	Douglass	Miller	Titus
Benedict, E. D.	Duell	Mitchell	Tormey
Benedict, T. E.	Duguid	Mooers	Tozier
Bradley	Ellis	Morgan	Travis
Brodsky	Ferris	Nowlan	Treanor
Bullock	Fish	O'Brien	Tully
Carpenter, E. A.	Fiske	Parker	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Gray	Potts	Varnum
Chamberlain	Griggs	Rhodes	Warner
Chickering	Gwinup	Root	Waterbury
Childs	Havens	Russell	Wells, D. A.
Clark	Hoffman	Seeley	Wells, J. L.
Cohen	Hurd	Sheridan	Weston
Congdon	Ingersoll	Sherman	Wren
Crapser	Kennedy	Shuit	Youngs
Cullinan	Lefever	Sipp	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 15 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sanders
Andrews	Crapser	Ingersoll	Seeley
Baker, B. F.	Cullinan	Kennedy	Shuit
Baker, C. S.	Curtis	Lefever	Sisson
Beach	Davis	Lindsay	Skinner
Beates	Deane	Low	Slingerland
Benedict, E. D.	Douglass	McCabe	Steele
Bradley	Duell	Mead	Tallmadge
Brennan	Duguid	Miller	Terry
Bridges	Ellis	Mitchell	Titus
Brodsky	Ferris	Mooers	Tozier
Bullock	Fish	Morgan	Travis
Carpenter, E. A.	Fiske	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Gorsline	O'Brien	Van Valkenburgh
Case	Gray	Parker	Waterbury
Chamberlain	Griggs	Phillips	Wells, D. A.
Chickering	Havens	Potter	Weston
Childs	Hoffman	Potts	Wren
Clark	Howland	Root	Youngs
Comstock	Hurd	Russell	

Those who voted in the negative, were

Benedict, T. E.	Dougherty	McCarthy	Sheridan
Olney	Evans	McDonald	Sipp
Cohen	Gibbs	Rhodes	Tully
Onshing	McAvoy	Shanley	



*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State, and of the several acts amendatory thereof,'" being announced for a third reading,

Mr. Bradley moved to recommit said bill to the committee on general laws, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McCabe	Sisson
Andrews	Deane	McDonald	Skinner
Baker, B. F.	Dougherty	McTernan	Slingerland
Baker, C. S.	Douglass	Miller	Steele
Beach	Duell	Mitchell	Tallmadge
Beates	Duguid	Mooers	Terpeny
Benedict, E. D.	Ellis	Morgan	Titus
Benedict, T. E.	Ferris	Newman	Tozier
Bradley	Fish	Nowlan	Travis
Brennan	Gorsline	O'Brien	Treanor
Bridges	Gray	Parker	Tully
Brodsky	Griggs	Potter	Tuthill, H. H.
Bullock	Wwinup	Potts	Tuttle, R. M.
Carpenter, E. A.	Havens	Rhodes	Van Valkenburgh
Carpenter, I. S.	Hoffman	Root	Warner
Case	Howland	Russell	Waterbury
Oatlin	Hurd	Seeley	Wells, D. A.
Chamberlain	Husted	Shanley	Wells, J. L.
Childs	Kennedy	Sherman	Weston
Congdon	Lefever	Shuit	Wren
Crapser	Lindsay	Sipp	Youngs
Cullinan	Low		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the

police patrolmen detailed to certain docks and piers in said city, by the board of commissioners of police and excise of the city of Brooklyn,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Douglass	Morgan	Tallmadge
Andrews	Duell	Newman	Terpeny
Baker, C. S.	Duguid	Nowlan	Terry
Beates	Ellis	O'Brien	Titus
Benedict, E. D.	Evans	Parker	Tozier
Bradley	Ferris	Phillips	Travis
Bridges	Fish	Potts	Treanor
Brodsky	Fiske	Rhodes	Tully
Bullock	Gibbs	Root	Tuthill, H. H.
Carpenter, I. S.	Gray	Seeley	Tuttle, R. M.
Case	Gwinup	Shanley	Van Valkenburgh
Catlin	Hoffman	Sherman	Varnum
Chickering,	Hurd	Shuit	Warner
Childs	Kennedy	Sipp	Waterbury
Congdon	Lefever	Sisson	Wells, D. A.
Cullinan	Lindsay	Skinner	Wells, J. L.
Cushing	Mead	Slingerland	Weston
Davis	Miller	Steele	Wren
Deane	Mitchell	Strait	Youngs
Dougherty	Mooers		

Those who voted in the negative, were.

Husted

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Clowes	Hurd	Root
Andrews	Cohen	Ingersoll	Seeley
Baker, B. F.	Comstock	Kennedy	Shanley
Baker, C. S.	Congdon	Lefever	Sherman
Beach	Costello	Lindsay	Sipp
Beates	Cullinan	McAvoy	Sisson

Benedict, E. D.	Curtis	McCabe	Slingerland
Benedict, T. E.	Davis	McCarthy	Strait
Bennett	Deane	McTernan	Tallmadge
Bradley	Dougherty	Mead	Terpeny
Bridges	Douglass	Miller	Tozier
Bullock	Ellis	Mooers	Treanor
Carpenter, E. A.	Ferris	Morgan	Tuthill, H. H.
Carpenter, I. S.	Fish	Nowlan	Tuttle, R. M.
Case	Fiske	Parker	Varnum
Catlin	Gibbs	Peck	Warner
Chamberlain	Gillette	Potter	Waterbury
Chickering	Griggs	Potts	Weston
Childs	Gwinup	Rhodes	Youngs
Claney	Hoffman		

Those who voted in the negative, were

Crapser	Evans	Mitchell
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Davis	McAvoy	Skinner
Benedict, E. D.	Deane	McCabe	Slingerland
Benedict, T. E.	Dougherty	McDonald	Steele
Bradley	Douglass	McTernan	Strait
Bridges	Ellis	Miller	Tallmadge
Brodsky	Evans	Mitchell	Terpeny
Bullock	Ferris	Morgan	Titus
Carpenter, E. A.	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	Parker	Treanor
Case	Gibbs	Peck	Tully
Catlin	Gillette	Potter	Tuttle, R. M.
Chamberlain	Griggs	Potts	Varnum
Chase	Gwinup	Rhodes	Warner
Claney	Havens	Root	Waterbury
Cohen	Hoffman	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Ingersoll	Seeley	Youngs
Costello	Kennedy	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Andrews	Deane	McDonald	Sipp
Baker, B. F.	Douglass	McTernan	Skinner
Baker, C. S.	Duguid	Mead	Slingerland
Beach	Ellis	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Strait
Bridges	Ferris	Morgan	Tallmadge
Brodsky	Fish	Nowlan	Terpeny
Bullock	Fiske	Parker	Terry
Carpenter, E. A.	Gibbs	Potter	Titus
Carpenter, I. S.	Gray	Potts	Tozier
Case	Gwinup	Rhodes	Treanor
Chase	Hoffman	Root	Tully
Chickering	Howland	Russell	Tuttle, R. M.
Cohen	Husted	Sanders	Warner
Comstock	Kennedy	Seeley	Waterbury
Congdon	Lefever	Shanley	Wells, J. L.
Costello	Liddle	Sheridan	Weston
Cullinan	McAvoy	Sherman	Wiley
Curtis	McCabe	Shuit	Youngs
Davis			

Those who voted in the negative, were

Varnum

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Sheridan
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	McAvoy	Skinner
Beach	Dougherty	McCabe	Slingerland
Benedict, E. D.	Douglass	McDonald	Steele
Bennett	Duguid	Miller	Strait
Bradley	Ellis	Mitchell	Terpeny
Brennan	Evans	Morgan	Terry
Bridges	Ferris	Nowlan	Titus
Brodsky	Fish	Parker	Tozier
Bullock	Fiske	Peck	Tuthill, H. H.
Carpenter, E. A.	Gibbs	Phillips	Tuttle, R. M.
Carpenter, I. S.	Griggs	Potter	Varnum
Case	Gwinup	Potts	Warner
Catlin	Havens	Rhodes	Waterbury
Chase	Hoffman	Roberts	Wells, D. A.

Chickering  
Childs  
Cohen  
Comstock  
Congdon

Hurd  
Husted  
Ingersoll  
Kennedy

Root  
Russell  
Seeley  
Shanley

Wells, J. L.  
Weston  
Wiley  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Benedict, E. D.  
Bennett  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chase  
Childs  
Comstock  
Costello  
Cullinan

Curtis  
Davis  
Deane  
Douglass  
Duguid  
Ellis  
Ferris  
Fish  
Gillette  
Griggs  
Gwinup  
Hagan  
Hoffman  
Hurd  
Kennedy  
Lefever  
Liddle  
Lindsay  
Low  
McCabe  
McDonald

Miller  
Mitchell  
Mooers  
Morgan  
Newman  
Nowlan  
O'Brien  
Parker  
Phillips  
Potter  
Potts  
Rhodes  
Root  
Russell  
Seeley  
Shanley  
Sheridan  
Sherman  
Shuit  
Sipp  
Skinner

Slingerland  
Steele  
Strait  
Terpeny  
Terry  
Titus  
Tozier  
Treanor  
Tully  
Tuthill, H. H.  
Tuttle, R. M.  
Van Valkenburgh  
Varnum  
Walsh  
Warner  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad, with which to pay the bonded indebtedness of such towns and cities."

"An act to prevent fishing with nets in a part of the waters of Lake Ontario."

"An act to exempt the town of Henderson from the provisions of chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson, and to confirm the action of the legal voters of said town in the election of an overseer of the poor.'"

"An act to amend chapter 272 of the Laws of 1837, entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York.'"

"An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed.'"

"An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

"An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county."

"An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof."

"An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors.'"

"An act to regulate the transportation of freight by railroad corporations."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

"An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city.'"

"An act in relation to the auditing of expenses for the support of the county poor and the purchase of supplies in the county of Clinton."

"An act to exempt Fulton county from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That hereafter debate on all questions be limited, both in the House and in committee of the whole, to five minutes; and no one shall speak longer nor more than once, except by consent of a majority of the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 437, entitled "An act in relation to the taxation of savings banks and institutions for savings," and bill No. 459, entitled "An act to provide for the taxation of life insurance companies," be made a special order for Tuesday morning, April 27, 1880, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

three-fifths of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Cushing	McCabe	Sisson
Baker, B. F.	Davis	McDonald	Skinner
Baker, C. S.	Deane	McTernan	Slingerland
Beach	Dougherty	Miller	Steele
Beates	Duell	Mooers	Strait
Benedict, E. D.	Duguid	Newman	Tallmadge
Benedict, T. E.	Ellis	Nowlan	Terpeny
Bennett	Evans	O'Brien	Terry
Bradley	Fish	Parker	Titus
Brennan	Fiske	Phillips	Travis
Bridges	Gorsline	Potter	Treanor
Brodsky	Gray	Potts	Tully
Bullock	Griggs	Rhodes	Tuthill, H. H.
Carpenter, E. A.	Gwinup	Root	Tuttle, R. M.
Carpenter, I. S.	Hoffman	Russell	Van Valkenburgh
Case	Howland	Seeley	Warner
Catlin	Hurd	Shanley	Waterbury
Chase	Ingersoll	Sheridan	Wells, J. L.
Childs	Kennedy	Sherman	Weston
Crapser	Lefever	Shuit	Wren
Cullinan	Liddle		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The special committee on investigating the charges made against the superintendent of the wrapping department presented a report in words following:

*To the Assembly:*

Your committee, created by a resolution of the House, passed April 16, 1880, which reads as follows:

"Whereas, It is charged by many members of this House that the superintendent of the wrapping department refuses to wrap up documents without being paid for it, claiming that his duties are only to superintend the same, therefore

"Resolved, That a special committee of three be appointed to investigate such charges and ascertain what his duties are; and if he has not faithfully and honestly discharged his duties, to report what is proper to be done in the premises."

Respectfully report that they have investigated the charges preferred therein, and find that Mr. John D. Christie was appointed general messenger at the opening of the session of this Legislature, and was assigned by the Clerk of the House to take charge of the wrapping department therein. That said Christie assumed charge thereof, and has, since the session began, been in attendance thereat, at the price fixed by the House, being \$3.00 per day.

That he has on many occasions demanded and received from members of the House moneys which he claimed to be due him for wrapping books and documents for them. That the amounts so demanded and received by him for wrapping said books and documents



varied from fifty cents to five dollars, the usual amount demanded from each member being two dollars.

That your committee has been unable to find from any of the rules of the House any specific duties assigned to the person occupying the position of Mr. Christie, nor has it found that any officer of the House was charged or commissioned with the duty of assigning to the person occupying such position, the particular work to be done by him.

It was, however, shown before your committee that the custom has heretofore prevailed to have all wrapping done for the members of the House, either by the general messenger assigned to the wrapping department or by the pages of the House, under the direction of such messenger, but without expense to the members thereof, except as a gratuity.

Your committee further report that said Christie has not at all times been courteous to the members of the House in the performance of his work for them, and has at times refused to do it. That on many occasions when the pages of the House have been sent to his department with books and documents to be wrapped, or when said pages have attempted to do the work themselves, they have been refused the right to do it, and have been grossly ill treated and on one or two occasions abused by him.

Your committee therefore find and report:

*First:* That the duties of the general messenger assigned to take charge of the wrapping department should be defined, either by the rules of the House, or that some person should be commissioned by the House to determine what such duties are and to instruct such messenger therein.

*Second:* That Mr. John D. Christie has so far exceeded the customs heretofore prevailing in said position, and has otherwise disregarded the requests of the members of the House in refusing to do the work required of him by them, and in preventing the pages from doing it for him, as to forfeit any further claim to be retained as an employee of this House.

Your committee therefore recommend the adoption of the following resolution:

*Resolved,* That John D. Christie, the general messenger in charge of the wrapping department of this House, be relieved from further service therein, and that some proper person be designated to take the place now occupied by him.

ALBERT HOWLAND,  
DANIEL PECK,  
LAMOTT W. RHODES;  
*Committee.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Shuit
Baker, B. F.	Crapser	Liddle	Sipp
Baker, C. S.	Cullinan	Lindsay	Sisson
Beach	Curtis	Low	Skinner
Benedict, E. D.	Davis	McCarthy	Slingerland
Benedict, T. E.	Deane	McDonald	Steele
Bennett	Dougherty	Miller	Strait
Bradley	Douglass	Mitchell	Terpeny
Brennan	Duell	Nowlan	Titus
Bridges	Duguid	O'Brien	Treanor
Brotsky	Ellis	Parker	Tully
Carpenter, E. A.	Fish	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gillette	Potter	Tuttle, R. M.
Case	Gorsline	Rhodes	Van Valkenburgh
Catlin	Griggs	Root	Waterbury
Chamberlain	Hoffman	Russell	Wells, J. L.
Chase	Howland	Seeley	Weston
Chickering	Hurd	Shanley	Wren
Cohen	Ingersoll	Sherman	Youngs
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad with which to pay the bonded indebtedness of such towns and cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Skinner
Andrews	Davis	Lindsay	Slingerland
Baker, B. F.	Deane	Low	Steele
Baker, C. S.	Dougherty	McDonald	Strait
Beach	Duell	Miller	Tallmadge
Benedict, E. D.	Duguid	Mooers	Terpeny
Benedict, T. E.	Ellis	Morgan	Terry
Bradley	Evans	Nowlan	Titus
Brennan	Ferris	O'Brien	Tozier
Bridges	Fish	Parker	Travis
Brotsky	Gorsline	Phillips	Treanor
Carpenter, E. A.	Gray	Potter	Tully
Carpenter, I. S.	Griggs	Potts	Tuthill, H. H.
Case	Gwinup	Rhodes	Tuttle, R. M.
Chamberlain	Hagan	Root	Van Valkenburgh
Chase	Havens	Seeley	Warner
Chickering	Hoffman	Shanley	Waterbury
Childs	Howland	Sherman	Wells, J. L.
Cohen	Hurd	Shuit	Weston
Comstock	Ingersoll	Sipp	Wren
Crapser	Kennedy	Sisson	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the deposits of stocks in the Bank Department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 60 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sherman
Andrews	Costello	Kennedy	Shuit
Baker, B. F.	Crapser	Lefever	Sipp
Baker, C. S.	Cullinan	Lindsay	Sisson
Beach	Curtis	Low	Skinner
Beates	Davis	McDonald	Slingerland
Benedict, E. D.	Deane	Mead	Steele
Benedict, T. E.	Dougherty	Miller	Terpen
Bennett	Douglass	Morgan	Terry
Bradley	Duell	Nowlan	Travis
Brennan	Duguid	O'Brien	Tuthill, H. H.
Brotsky	Ellis	Peck	Tuttle, R. M.
Carpenter, E. A.	Evans	Phillips	Van Valkenburgh
Carpenter, I. S.	Fish	Potter	Varnum
Case	Gibbs	Potts	Waterbury
Catlin	Gwinup	Rhodes	Wells, D. A.
Chamberlain	Hoffman	Root	Wells, J. L.
Chase	Howland	Russell	Weston
Chickering	Hurd	Seeley	Youngs
Comstock	Husted		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to prevent malicious annoyance," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Sipp
Andrews	Curtis	McAvoy	Sisson
Baker, B. F.	Davis	McCabe	Skinner
Baker, C. S.	Deane	McDonald	Slingerland
Beach	Dougherty	Miller	Strait
Beates	Douglass	Morgan	Terry
Benedict, E. D.	Duell	Nowlan	Titus
Bradley	Duguid	O'Brien	Travis
Brennan	Ellis	Parker	Treanor
Brotsky	Evans	Peck	Tully
Carpenter, E. A.	Ferris	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Fish	Potter	Tuttle, R. M.
Case	Gibbs	Potts	Van Valkenburgh

Catlin	Gillette	Rhodes	Varnum
Chase	Gwinup	Root	Waterbury
Chickering	Havens	Russell	Wells, D. A.
Cohen	Ingersoll	Seeley	Wells, J. L.
Comstock	Kennedy	Shanley	Weston
Congdon	Lefever	Sherman	Wren
Costello	Liddle	Shuit	Youngs
Crapser	Lindsay		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend an act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario,' and amended by chapter 200 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sisson
Andrews	Davis	McAvoy	Skinner
Baker, B. F.	Deane	Miller	Slingerland
Baker, C. S.	Douglass	Mitchell	Steele
Beach	Ellis	Morgan	Strait
Beates	Evans	Nowlan	Terpeny
Benedict, T. E.	Ferris	Parker	Terry
Bennett	Fish	Phillips	Tozier
Bradley	Gibbs	Potter	Travis
Brotsky	Gorsline	Potts	Treanor
Carpenter, I. S.	Griggs	Rhodes	Tuthill, H. H.
Case	Gwinup	Root	Tuttle, R. M.
Catlin	Havens	Russell	Van Valkenburgh
Chase	Hoffman	Sanders	Varnum
Chickering	Howland	Seeley	Waterbury
Childs	Hurd	Shanley	Wells, D. A.
Cohen	Husted	Sheridan	Wells, J. L.
Comstock	Kennedy	Sherman	Weston
Congdon	Lefever	Shuit	Wren
Crapser	Liddle	Sipp	Youngs
Cullinan	Lindsay		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent fishing with nets in a part of the waters of Lake Ontario," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sipp
Andrews	Oushing	Lindsay	Sisson

Baker, B. F.	Davis	McAvoy	Skinner
Baker, C. S.	Deane	McDonald	Slingerland
Beach	Duell	Miller	Steele
Beates	Duguid	Mitchell	Tallmadge
Benedict, E. D.	Ellis	Morgan	Terpeny
Benedict, T. E.	Evans	Nowlan	Terry
Bennett	Ferris	O'Brien	Titus
Brennan	Fish	Parker	Tozier
Brotsky	Fiske	Phillips	Travis
Carpenter, E. A.	Gibbs	Pitcher	Treanor
Carpenter, I. S.	Gorsline	Potter	Tully
Case	Gray	Potts	Tuttle, R. M.
Catlin	Griggs	Rhodes	Van Valkenburgh
Chamberlain	Gwinup	Roberts	Waterbury
Chase	Hoffman	Root	Wells, D. A.]
Chickering	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Ingersoll	Seeley	Wiley
Crapser	Kennedy	Sherman	Youngs
Cullinan	Lefever	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a list of bills as selected by the Speaker and Clerk, and referred to the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 124.)

Mr. Skinner moved to lay all order of business on the table, and take up order of business the special orders of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker stated the first special order of the day being,

“Concurrent resolutions proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution providing for biennial sessions of the Legislature.”

“Concurrent resolutions proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenues thereof.”

“An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara.”

The House then resolved itself into a committee of the whole, and after some time spent therein Mr. Speaker resumed the chair.

Mr. Alvord moved to extend the time of the session 15 minutes, for the purpose of taking up order of business introduction of bills, reports, etc.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Andrews introduced a bill entitled “An act to amend chapter 291 of the Laws of 1867, entitled ‘An act to incorporate the city of Binghamton,’ which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mooers introduced a bill entitled “An act to authorize Keesville Union Free School District No. 1, of the towns of Ausable and

Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mooers, and by unanimous consent, said bill was ordered to a third reading.

Mr. Parker introduced a bill entitled "An act to alter the boundary line between the towns of Dunham and Windham, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. D. Benedict introduced a bill entitled "An act to amend 'An act authorizing the incorporation of rural cemeteries,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. McCarthy introduced a bill entitled "An act to abolish the exaction or taking of tolls or charges for travel or traffic on plank roads or turnpikes in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Deane introduced a bill entitled "An act for the relief of James B. Beady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bennett introduced a bill entitled "An act for the relief of keepers in the city and district prisons, in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in case of sudden sickness or accident during night time," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonald introduced a bill entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the village of Niagara Falls, in the town and county of Niagara, by the appointment of a police justice in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of the town of Newfane, to abolish the office of railroad commissioners of said town and to enable it to adjust its indebtedness and issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Youngs, for Mr. Clowes, introduced a bill entitled "An act in relation to unpaid taxes and water assessments in Long Island City,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the city government of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act authorizing the appointment of special policeman for Long Beach, in the town of Hempstead, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Husted introduced a bill entitled "An act establishing the compensation of the county judge and surrogate of the county of Rockland," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Bradley introduced a bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining and regulating the effect and application of, and otherwise relating to the act passed at this session of the Legislature, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Tozier until Wednesday next.

Mr. Speaker presented a remonstrance of the board of underwriters against the removal of the Murray Hill reservoir; which was read and referred to the committee on affairs of cities.

Also, a remonstrance against the passage of an act entitled "An act in relation to the taxation of savings banks"; which was read and referred to the special committee on taxation.

Mr. Varnum, from the committee on affairs of cities, presented a report on street cleaning in the city of New York; which was laid on the table and ordered printed.

(See Doc. No. 112.)

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements in the city of New York," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Brien (introductory No. 1081), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was



referred the bill introduced by Mr. Varnum (introductory No. 286), entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, with instructions to report complete at any time.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 291), entitled "An act relating to the fees, percentages and allowances of public officers, a burden upon and a charge against the various cities of the State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, with instructions to report complete at any time.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 164), entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging-houses in the cities of New York and Brooklyn,' as amended by chapter 504 of the Laws of 1879," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Grosse (introductory No. 798), entitled "An act to amend chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism, and crime,'" reported adversely thereto, which report was agreed to.

Mr. Tormey offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 463, general orders No. 517, entitled "An act for the relief of Lyman Tiffany," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 1075), entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 419), entitled "An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits in the Insurance Department, to require special reports, etc.,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion, said bill was substituted for Assembly bill No. 466, now on order of third reading.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 116), entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 11), entitled "An act to prevent the obstruction and incumbrance of docks, wharves and piers in the cities of New York and Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Slingerland (introductory No. 995), entitled "An act further to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' and the several acts amendatory thereto in so far as they relate to the city of Albany," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 139), entitled "An act to regulate the sale of intoxicating liquors in the cities of this State containing more than 20,000 inhabitants," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Warner (introductory No. 936), entitled "An act further to amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,'" reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 656), entitled "An act in relation to the concourse at Coney Island, in Kings county, and to authorize the improvement and sale of certain portions thereof," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 1069), entitled "An act in relation to assessments for taxes in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 561), entitled "An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Brook Haven, Suffolk county," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Root (introductory No. 835), entitled "An act to further amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways,' passed April 23, 1862, and to create a short bar to actions arising under said act, passed March 9, 1867," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Waterbury (introductory No. 769), entitled "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Russell (introductory No. 511), entitled "An act to regulate the sale of spirituous liquors, wines and beer, and to punish intoxication in the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 495), entitled "An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 183), entitled "An act prohibiting the sale or giving of spirituous liquor or wine to inmates of the New York State Soldiers and Sailors' Home," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis said bill was ordered to a third reading.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Travis (introductory No. 399), entitled "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes, as to highways,'" reported adversely thereto, which report was agreed to.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to establish and maintain a police force in the city of Troy."

"An act to grant relief to the sureties of trustees, committees or guardians appointed by or accountable to the Supreme Court, or any county court of the State."

"An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge and Elizabeth King, wife of William King, the interest of the people of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized."

"An act to suppress tippling and the drink trade in the counties of Allegany and Steuben."

"An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof."

"An act to amend section 1 of chapter 453 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to incorporate the village of Chateaugay, in the county of Franklin,' passed May 3, 1869.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

“An act to amend chapter 555, Laws of 1864, entitled ‘An act to revise and consolidate the general acts relating to public instruction.’”

“An act to amend section 37, chapter 534 of the Laws of 1879, entitled ‘An act for the preservation of moose, wild deer, birds, fish and other game.’”

“An act to amend chapter 265 of the Laws of 1848, entitled ‘An act to provide for the incorporation and regulation of telegraph companies.’”

“An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York.”

“An act to amend chapter 77 of the Laws of 1846, entitled ‘An act to provide for the erection and establishment of a work-house in the county of Erie.’”

“An act to permit the admission of persons not paupers into the asylums of this State.”

“An act supplemental to chapter 194 of the Laws of 1849, entitled ‘An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,’ and to repeal chapter 597 of the Laws of 1870, amendatory of said act.”

“An act to vest certain powers in the president of the Kingston Board of Education, and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district.”

“An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county.”

“An act for the protection of farmers and market gardeners.”

“An act to amend chapter 555 of the Laws of 1864, entitled ‘An act to revise and consolidate the general acts relating to public instruction.’”

“An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the Superintendent of the Banking Department to return the securities held by him to secure such circulation.”

“An act authorizing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose.”

“An act allowing husbands and wives to deed and convey, sell, transfer and assign any real or personal property one to the other directly, and to pass the same title to the property as if the parties were unmarried.”

“An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen.”

“An act to amend chapter 65 of the Laws of 1829, entitled ‘An act concerning the writ of certiorari in criminal cases.’”

“An act authorizing physicians of the different medical schools to meet in consultation.”

“An act to amend section 435 of the Code of Civil Procedure.”

“An act to provide for the protection and preservation of fish in the county of Monroe, State of New York.”

“An act to legalize the acts of Franklin O. Whitney as a notary public.”

"An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company in said city."

"An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse.'"

"An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association."

"An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof."

"An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town."

"An act to amend section 1 of chapter 792 of the Laws of 1866, entitled 'An act to incorporate the village of Port Richmond in the county of Richmond.'"

"An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego.'"

Mr. Bullock offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 714, introductory No. 1,006, entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," be recommended to the committee of public health, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Wren, and at two o'clock and fifteen minutes, the House took a recess until four P. M.

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#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, for reference to the sub-committee of the whole; which was laid on the table and ordered printed:

No. 340, Int. 573, G. O. 364, Mr. Warner: "An act to amend chapter 175 of the Laws of 1875, entitled 'An act to regulate the sale of baled hay and straw, in the State of New York.'"

No. 518, Int. 770, G. O. 593, Mr. Comstock: "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' passed April 16, 1864, and the several acts additional thereto and amendatory thereof."

No. 527, Int. 766, G. O. 600, Mr. Mitchell: "An act to amend the 12th section of the 'Act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' passed February 17, 1848, as said section was amended by chapter 657 of the Laws of 1871, and as further amended by chapter 510 of the Laws of 1875."

No. 539, Int. 783, G. O. 614, Mr. McCarthy: "An act to incorporate the Bachelor Club of the city of New York."

No. 583, Int. 938, G. O. 667, Mr. Miller: "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

No. 584, Int. 687, G. O. 668, Mr. Tuttle: "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

No. 585, Int. 918, G. O. 669, Mr. Phillips: "An act to regulate the dimensions and measurement of apple barrels."

No. 590, Int. 857, G. O. 675, Mr. B. F. Baker: "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which said company may commence operations.'"

No. 594, Int. 893, G. O. 680, Mr. Sisson: "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

No. 621, Int. 923, G. O. 714, Mr. E. D. Benedict: "An act authorizing the board of trustees of school district number 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

No. 622, Int. 768, G. O. 715, Mr. Hoffman: "An act to vest in the board of supervisors several additional powers."

No. 645, Int. 689, G. O. 747, Mr. McDonald: "An act to secure the payment of mechanics, laborers and workmen, who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York."

No. 651, Int. 483, G. O. 760, Mr. Clowes: "An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

No. 657, Int. 934, G. O. 771, Mr. McCarthy: "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York."

No. 659, Int. 932, G. O. 773, Mr. H. H. Tuthill: "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes."

No. 661, Int. 970, G. O. 775, Mr. Terry: "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday.'"

No. 662, Int. 955, G. O. 776, Mr. Fiske: "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

No. 668, Int. 850, G. O. 786, Mr. Terpeny: "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

No. 671, Int. 776, G. O. 790, Mr. Bullock: "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean in the county of Cattaraugus,' and of the several acts amendatory thereof."

No. 673, Int. 1004, G. O. 792, Mr. Sharpe: "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

No. 683, Int. 924, G. O. 806, Mr. J. L. Wells: "An act authorizing the incorporation of Villa Park and suburban homestead associations."

No. 688, Int. 1028, G. O. 811, Mr. Shanley: "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards."

No. 691, Int. 492, G. O. 814, Mr. B. F. Baker: "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872," so far as it authorizes the employment of assistant counsel to the district attorney of any county.

No. 694, Int. 721, G. O. 822, Mr. Clowes: "An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes," relating to town meetings.

No. 709, Int. 745, G. O. 844, Mr. Sharpe: "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

No. 712, Int. 1011, G. O. 848, Mr. Steele: "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office."

Senate bill No. 29, Int. 18, G. O. 579, Mr. Madden: "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange."

Senate bill No. 169, Int. 121, G. O. 608, Mr. Davenport: "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany."

Mr. Speaker stated that the House would resume the consideration of the special order, which was under consideration in the morning session.

The House then resolved itself into committee of the whole on the concurrent resolutions and bill entitled as follows:

"Concurrent resolution proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenues thereof."

"Concurrent resolution proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution, providing for biennial sessions of the Legislature."

"An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported progress on the first named concurrent resolution, and asked and obtained leave to sit again.

Mr. Chickering, from said committee, also reported in favor of the passage of the second named concurrent resolution, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chickering, from said committee, also reported progress on the above named bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said first named concurrent resolution, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the above named bill, and that the same be engrossed and ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 60 }  
{ NOES 31 }

Those who voted in the affirmative, were

Alvord	Duguid	O'Connor	Tallmadge
Baker, B. F.	Evans	Parker	Terpeny
Baker, C. S.	Fiske	Phillips	Terry
Beach	Gillette	Pitcher	Thilemann
Bradley	Hurd	Potter	Titus
Brennan	Husted	Root	Tormey
Bredsky	Ingersoll	Seeley	Travis
Bullock	Kennedy	Shanley	Tuttle, R. M.
Carpenter, E. A.	Lefever	Sheridan	Van Valkenburgh
Carpenter, I. S.	Low	Sherman	Varnum
Catlin	Miller	Shuit	Waterbury
Chamberlain	Mitchell	Sipp	Wells, D. A.
Chickering	Morgan	Skinner	Wells, J. L.
Davis	Newman	Steele	Youngs
Deane	Nowlan	Strait	Mr. Speaker

Those who voted in the negative, were

Andrews	Cohen	Gibbs	McCarthy
Benedict, E. D.	Crapser	Gray	Peck
Benedict, T. E.	Cullinan	Gwinup	Rhodes
Bridges	Curtis	Hagan	Slingerland
Case	Cushing	Havens	Tozier
Chase	Ellis	Hoffman	Treanor
Childs	Ferris	Howland	Walsh
Clancy	Fish	McAvoy	

The hour of six having arrived, the House adjourned.

## FRIDAY MORNING, APRIL 23, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Edward Stratton, of Greenbush.

The journal of yesterday was read and approved.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor, requesting the return for amendment of Senate bill No. 173, entitled "An act to provide for the organization and regulation of certain business corporations, passed June 21, 1875."

Mr. Speaker put the question whether the House would concur in the passage of said resolution, and it was determined in the affirmative.



Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting him to return for amendment Senate bill No. 136, entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolutions to the Senate with a message informing of concurrence therein.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names :

Alvord	Crapser	Kennedy	Sheridan
Baker, B. F.	Cullinan	Lefever	Sipp
Baker, C. S.	Curtis	Lindsay	Sisson
Beates	Cushing	Low	Skinner
Benedict, T. E.	Davis	Miller	Slingerland
Bradley	Deane	Mooers	Steele
Brennan	Duell	Morgan	Tallmadge
Bridges	Duguid	Newman	Terpeny
Brodsky	Ellis	Nowlan	Travis
Bullock	Evans	O'Brien	Tully
Carpenter, E. A.	Ferris	Parker	Tuttle, R. M.
Carpenter, I. S.	Fish	Phillips	Van Valkenburgh
Case	Gibbs	Pitcher	Wells, J. L.
Chamberlain	Gray	Potts	Weston
Chickering	Gwinup	Root	Youngs
Clark	Hoffman	Russell	Mr. Speaker
Comstock	Howland	Seeley	

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A quorum being present,

The Senate sent for concurrence the bills entitled as follows :

"An act to amend section 3 of title 2 of chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing, passed April 15, 1837,' and the several acts amendatory thereof, passed March 20, 1857,'" which was read the first time, and by unanimous consent was also read the second time.

Said bill was substituted for Assembly bill, general orders No. 655, now on order of third reading.

"An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations, and also to amend chapter 455 of the Laws of 1851, entitled 'An act to extend the act in relation to suits by and against joint-stock companies and associations, to companies having a joint or common interest in property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend chapter 257 of the Laws of 1863, entitled ‘An act in relation to draining certain low lands situate in the towns of Bloominggrove and Chester, in the county of Orange,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

“An act extending the jurisdiction of courts of special sessions except in the city of Albany and in the city and county of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend chapter 519 of the Laws of 1870, entitled ‘An act to revise the charter of the city of Buffalo, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act for the relief of Thomas Cottman,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend chapter 448 of the Laws of 1876, entitled ‘An act relating to courts, officers of justice and civil proceedings,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act in relation to arrears of personal taxes in the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same,” which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was substituted for Assembly bill No. 267, now on order of third reading.

“An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports,” which was read the first time, and by unanimous consent was also read the second time.

Mr. Tallmadge moved that said bill be substituted for Assembly bill No. 700, now on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tallmadge moved that said bill be considered in committee of the whole, immediately after the present order of business was gone through with.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received in the words following :

IN SENATE, *April* 16, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled “An act to amend chapter 777, entitled ‘An act to incorporate the village of Walden, in the county of Orange.’”



The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Madden, the same was recommitted to the committee on affairs of villages, and by said committee reported back, amended as follows :

Section 1, line 7, engrossed bill, after word " the " insert " trustees."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Liddle	Sipp
Andrews	Congdon	Lindsay	Sisson
Baker, B. F.	Cullinan	Low	Skinner
Baker, C. S.	Curtis	Mead	Slingerland
Beach	Davis	Miller	Strait
Beates	Deane	Mooers	Tallmadge
Benedict, E. D.	Dougherty	Morgan	Terpeny
Bradley	Douglass	Newman	Terry
Brennan	Duell	Nowlan	Travis
Bridges	Evans	O'Brien	Tully
Brodsky	Fish	Parker	Tuttle, R. M.
Bullock	Gray	Phillips	Van Valkenburgh
Carpenter, E. A.	Griggs	Pitcher	Warner
Carpenter, I. S.	Gwinup	Potts	Waterbury
Case	Hoffman	Root	Wells, D. A.
Catlin	Howland	Russell	Wells, J. L.
Chase	Ingersoll	Seeley	Weston
Chickering	Kennedy	Sheridan	Youngs
Childs	Lefever	Sherman	Mr. Speaker
Clark			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members present voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Lefever	Sipp
Andrews	Crapser	Liddle	Sisson
Baker, B. F.	Cullinan	Lindsay	Skinner
Baker, C. S.	Cushing	Low	Slingerland
Beach	Davis	McTernan	Steele
Beates	Deane	Mead	Strait
Benedict, T. E.	Douglass	Miller	Tallmadge
Bradley	Duell	Mooers	Terpeny
Brennan	Duguid	Morgan	Terry
Bridges	Ellis	Newman	Travis
Brodsky	Evans	Nowlan	Tuttle, R. M.

Bullock	Fish	O'Brien	Van Valkenburgh
Carpenter, E. A.	Gibbs	Parker	Varnum
Carpenter, I. S.	Gray	Phillips	Warner
Case	Griggs	Pitcher	Waterbury
Catlin	Havens	Potts	Wells, D. A.
Chamberlain	Hayes	Root	Wells, J. L.
Chickering	Hoffman	Russell	Weston
Childs	Howland	Seeley	Youngs
Clancy	Hurd	Sheridan	Mr. Speaker
Clark	Kennedy	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act repealing certain acts and parts of acts."

"An act extending the time for collecting taxes in the town of Moriah, county of Essex."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, in words following:

IN SENATE, *April 20, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Braman, and by unanimous consent, the same was amended as follows:

Section 2, line 16, engrossed bill, strike out the words "each succeeding year" and insert the words "two years more."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Cushing	Low	Skinner
Beach	Davis	McTernan	Slingerland
Beates	Deane	Mead	Steele
Benedict, E. D.	Douglass	Miller	Strait
Bradley	Duell	Mooers	Tallmadge
Brennan	Duguid	Morgan	Terpeny
Bridges	Ellis	Newman	Terry

Brodsky	Ferris	Nowlan	Travis
Bullock	Fish	O'Brien	Tully
Carpenter, E. A.	Gibbs	Parker	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Gray	Pitcher	Varnum
Catlin	Griggs	Potts	Warner
Chamberlain	Havens	Rhodes	Wells, D. A.
Chickering	Hayes	Root	Wells, J. L.
Childs	Hoffman	Russell	Weston
Clancy	Howland	Seeley	Youngs
Clark	Hurd	Sheridan	Mr. Speaker
Comstock	Kennedy		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapsier	Liddle	Sherman
Andrews	Cullinan	Lindsay	Sipp
Baker, B. F.	Cushing	Low	Sisson
Baker, C. S.	Davis	McCabe	Skinner
Beach	Deane	Mead	Slingerland
Beates	Douglass	Miller	Steele
Benedict, E. D.	Duell	Mooers	Strait
Bradley	Duguid	Morgan	Tallmadge
Brennan	Ellis	Newman	Terpeny
Bridges	Ferris	Nowlan	Terry
Brodsky	Fish	O'Brien	Travis
Carpenter, E. A.	Gibbs	Parker	Tully
Carpenter, I. S.	Gray	Peck	Tuttle, R. M.
Case	Griggs	Phillips	Van Valkenburgh
Catlin	Gwinup	Pitcher	Varnum
Chamberlain	Havens	Potter	Warner
Chase	Hayes	Potts	Wells, D. A.
Chickering	Hoffman	Rhodes	Wells, J. L.
Childs	Howland	Root	Weston
Clancy	Hurd	Russell	Wren
Clark	Kennedy	Sheridan	Youngs
Comstock	Lefever		

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 21, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 135, entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' " and the acts supplementary thereto.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Shuit
Andrews	Cushing	Lefever	Sisson
Baker, B. F.	Davis	Liddle	Skinner
Baker, C. S.	Deane	Lindsay	Slingerland
Beach	Douglass	Low	Steele
Beates	Duell	Mead	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Brennan	Ellis	Mooers	Terpeny
Bridges	Evans	Morgan	Terry
Brodsky	Ferris	Newman	Travis
Carpenter, E. A.	Fish	Nowlan	Tully
Carpenter, I. S.	Gibbs	O'Brien	Tuttle, R. M.
Case	Gillette	Parker	Van Valkenburgh
Catlin	Gorsline	Phillips	Varnum
Chamberlain	Gray	Pitcher	Warner
Chickering	Griggs	Potts	Wells, D. A.
Childs	Gwinup	Rhodes	Wells, J. L.
Claney	Hayes	Root	Weston
Clark	Hoffman	Russell	Wren
Comstock	Howland	Sheridan	Youngs
Crapser	Hurd	Sherman	

On motion of Mr. Beates, and by unanimous consent, said bill was amended in words following:

Page 2 of engrossed bill, strike out the word "name" and insert the word "names;" strike out the word "church" and insert the word "churches," and after the word "deem" insert the word "it."

Page 3 of engrossed bill, stike out the word "act" and insert the word "acts."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hurd	Shanley
Andrews	Curtis	Kennedy	Sheridan
Baker, B. F.	Cushing	Lefever	Sipp
Baker, C. S.	Davis	Liddle	Sisson
Beach	Deane	Lindsay	Skinner
Beates	Douglass	Low	Slingerland
Benedict, E. D.	Duell	McTernan	Steele
Benedict, T. E.	Duguid	Mead	Strait
Brennan	Ellis	Miller	Tallmadge
Bridges	Ferris	Mooers	Terpeny
Brodsky	Fish	Morgan	Terry
Carpenter, E. A.	Gibbs	Newman	Travis
Carpenter, I. S.	Gillette	Nowlan	Tully
Case	Gorsline	O'Brien	Tuttle, R. M.

Catlin	Gray	Parker	Van Valkenburgh
Chamberlain	Griggs	Phillips	Varnum
Chickering	Gwinup	Pitcher	Warner
Childs	Havens	Potts	Wells, D. A.
Clancy	Hayes	Rhodes	Wells, J. L.
Clark	Hoffman	Root	Weston
Comstock	Howland	Russell	Youngs
Crapser			

Those who voted in the negative, were  
Sherman

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, April 21, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 277, entitled "An act conferring additional powers upon the board of supervisors of Franklin county."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sheridan
Andrews	Cullinan	Kennedy	Sipp
Baker, B. F.	Cushing	Lefever	Sisson
Baker, C. S.	Davis	Liddle	Skinner
Beach	Deane	Lindsay	Slingerland
Beates	Douglass	McAvoy	Steele
Benedict, E. D.	Duell	Mead	Strait
Benedict, T. E.	Duguid	Miller	Tallmadge
Brennan	Ellis	Mooers	Terpeny
Bridges	Evans	Morgan	Terry
Brodsky	Fish	Newman	Travis
Bullock	Gibbs	Nowlan	Tully
Carpenter, E. A.	Gillette	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Parker	Van Valkenburgh
Case	Gray	Phillips	Varnum
Catlin	Griggs	Pitcher	Warner
Chamberlain	Havens	Potts	Waterbury
Chase	Hayes	Rhodes	Wells, D. A.
Chickering	Hoffman	Root	Wells, J. L.
Childs	Howland	Russell	Weston
Clark	Hurd	Seeley	Youngs
Comstock			

On motion of Mr. Brennan, and by unanimous consent, said bill was amended in words following:

"An act conferring additional powers upon the board of supervisors for the laying out of highways through unoccupied and unimproved tracts of land."

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

Section 1. The board of supervisors of any county in this State containing more than 300,000 acres of unoccupied and unimproved forest lands, in addition to the powers now possessed by said board, is hereby authorized to establish separate highway districts in such county, for the purpose of laying out and constructing highways through such unimproved and unoccupied tracts of land in such county. Any highway district established under the provisions of this act shall consist of contiguous tracts or parcels of land and may include within its limits parts of one or more towns, and the same may be changed, altered or abolished at any time by said board of supervisors. The said board of supervisors shall have power to appoint a commissioner or commissioners to lay out and construct highways in any such district, and to prescribe their powers and duties. And may also direct the manner in which highway taxes shall be assessed, levied and collected upon the lands embraced in any such district, and likewise the manner of expenditure thereof. The said board of supervisors may also authorize commissioners appointed under this act to borrow money on such terms as said board shall direct, but not exceeding the estimated amount of ten years' highway taxes upon the lands embraced within the district in which such loan is authorized, and may, for the purpose of repaying any such loan, set apart and appropriate the highway taxes upon lands in any such district for a period not exceeding ten years from the time of making such loan.

§ 2. This act shall take effect immediately.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Cushing	Lindsay	Sipp
Baker, B. F.	Davis	Low	Sisson
Baker, C. S.	Deane	Mead	Skinner
Beach	Douglass	Miller	Slingerland
Beates	Duell	Mooers	Steele
Benedict, E. D.	Duguid	Morgan	Strait
Bradley	Ellis	Newman	Tallmadge
Bridges	Fish	Nowlan	Terpeny
Brodsky	Gibbs	O'Brien	Terry
Bullock	Gillette	Parker	Travis
Carpenter, E. A.	Gorsline	Phillips	Tully
Carpenter, I. S.	Gray	Pitcher	Tuttle, R. M.
Oatlin	Griggs	Potter	Van Valkenburgh
Chase	Hayes	Potts	Varnum
Chickering	Hoffman	Rhodes	Warner
Childs	Howland	Root	Wells, J. L.
Clark	Hurd	Russell	Weston
Comstock	Ingersoll	Seeley	Wren

Crapser  
Cullinan

Kennedy  
Lefever

Shanley  
Sheridan

Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 21, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, not printed, entitled "An act to amend the charter of Germania Fire Insurance Company," so as to change time of election of directors.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sipp
Andrews	Davis	Liddle	Sisson
Baker, B. F.	Deane	Lindsay	Skinner
Baker, C. S.	Dougherty	Low	Slingerland
Beach	Douglass	Mead	Steele
Beates	Duell	Miller	Strait
Benedict, E. D.	Duguid	Mooers	Tallmadge
Bradley	Ellis	Morgan	Terpeny
Brennan	Ferris	Newman	Terry
Bridges	Fish	Nowlan	Travis
Brodsky	Gibbs	O'Brien	Tully
Bullock	Gillette	Parker	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Catlin	Gray	Pitcher	Varnum
Chase	Havens	Potts	Warner
Chickering	Hayes	Rhodes	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Cohen	Howland	Russell	Weston
Comstock	Hurd	Seeley	Wiley
Crapser	Ingersoll	Sheridan	Wren
Cullinan	Kennedy	Sherman	Youngs
Curtis			

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1 and insert in place thereof the following:

"The next annual election of directors of the Germania Fire Insurance Company, located in the city of New York, shall be held on the last Tuesday of December, in the year 1880, and thereafter the annual election of directors of said company shall be on the last Tuesday of December, in each year, instead of on the third Tuesday of March."

Amend the title so as to read:

"An act to change the time of election of directors of the Germania Fire Insurance Company, located in the city of New York."



Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Sipp
Beates	Davis	Low	Simon
Benedict, E. D.	Deane	McDonald	Slingerland
Bradley	Dougherty	Mead	Steele
Brennan	Douglass	Miller	Strait
Bridges	Duell	Mitchell	Tallmadge
Brodsky	Duguid	Moore	Terpeny
Bullock	Ellis	Morgan	Terry
Carpenter, E. A.	Ferris	Newman	Travis
Carpenter, I. S.	Fish	Nowlan	Tully
Case	Gibbs	O'Brien	Tuttle, R. M.
Catlin	Gorsline	Parker	Van Valkenburgh
Chamberlain	Gray	Phillips	Varnum
Chase	Havens	Pitcher	Warner
Chickering	Hayes	Potts	Wells, D. A.
Childs	Hoffman	Rhodes	Wells, J. L.
Clark	Howland	Root	Weston
Cohen	Hurd	Russell	Wiley
Comstock	Ingersoll	Seeley	Youngs
Costello	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner offered, in connection with said bill, the following:

*Resolved*, That the committee on railroads be discharged from the further consideration of Assembly bill, introductory No. 1051, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



Crapser  
Cullinan

Kennedy  
Lefever

Shanley  
Sheridan

Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 21, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, not printed, entitled "An act to amend the charter of Germania Fire Insurance Company," so as to change time of election of directors.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sipp
Andrews	Davis	Liddle	Sisson
Baker, B. F.	Deane	Lindsay	Skinner
Baker, C. S.	Dougherty	Low	Slingerland
Beach	Douglass	Mead	Steele
Beates	Duell	Miller	Strait
Benedict, E. D.	Duguid	Mooers	Tallmadge
Bradley	Ellis	Morgan	Terpeny
Brennan	Ferris	Newman	Terry
Bridges	Fish	Nowlan	Travis
Brodsky	Gibbs	O'Brien	Tully
Bullock	Gillette	Parker	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Catlin	Gray	Pitcher	Varnum
Chase	Havens	Potts	Warner
Chickering	Hayes	Rhodes	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Cohen	Howland	Russell	Weston
Comstock	Hurd	Seeley	Wiley
Crapser	Ingersoll	Sheridan	Wren
Cullinan	Kennedy	Sherman	Youngs
Curtis			

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1 and insert in place thereof the following:

"The next annual election of directors of the Germania Fire Insurance Company, located in the city of New York, shall be held on the last Tuesday of December, in the year 1880, and thereafter the annual election of directors of said company shall be on the last Tuesday of December, in each year, instead of on the third Tuesday of March."

Amend the title so as to read:

"An act to change the time of election of directors of the Germania Fire Insurance Company, located in the city of New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Stipp
Beates	Davis	Low	Sisson
Benedict, E. D.	Deane	McDonald	Slingerland
Bradley	Dougherty	Mead	Steele
Brennan	Douglass	Miller	Strait
Bridges	Duell	Mitchell	Tallmadge
Brodsky	Duguid	Mooers	Terpeny
Bullock	Ellis	Morgan	Terry
Carpenter, E. A.	Ferris	Newman	Travis
Carpenter, I. S.	Fish	Nowlan	Tully
Case	Gibbs	O'Brien	Tuttle, R. M.
Catlin	Gorsline	Parker	Van Valkenburgh
Chamberlain	Gray	Phillips	Varnum
Chase	Havens	Pitcher	Warner
Chickering	Hayes	Potts	Wells, D. A.
Childs	Hoffman	Rhodes	Wells, J. L.
Clark	Howland	Root	Weston
Cohen	Hurd	Russell	Wiley
Comstock	Ingersoll	Seeley	Youngs
Costello	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner offered, in connection with said bill, the following:

*Resolved*, That the committee on railroads be discharged from the further consideration of Assembly bill, introductory No. 1051, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing; mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 27 of the Laws of 1875, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to establish a police department in the city of Buffalo, and to provide for the government thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned Assembly bill entitled "An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section 1, and insert the following in lieu thereof:

Section 1. The election of the president, trustees and other officers of the village of Macedon, in the county of Wayne, on the 16th day of March, 1880, is hereby made as legal and valid as it would have been if the said election had been continued till sun set, as required by law; and the persons declared elected, at said election, are hereby confirmed in their respective offices as fully as though said election had been continued as requested by law. But nothing herein contained shall affect any suit or proceeding now pending.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker, C. S.	Davis	Husted	Shanley
Beach	Deane	Ingersoll	Sheridan
Beates	Douglass	Kennedy	Sherman
Benedict, E. D.	Duell	Lefever	Sipp
Bradley	Duguid	Liddle	Sisson
Brennan	Ellis	McAvoy	Skinner
Bridges	Evans	McDonald	Slingerland
Brodsky	Ferris	Miller	Steele
Bullock	Fish	Mitchell	Strait
Carpenter, E. A.	Fitzgerald	Mooers	Terpeny
Carpenter, I. S.	Gibbs	Morgan	Terry
Case	Gillette	Newman	Travis
Catlin	Gorsline	Nowlan	Treanor
Chamberlain	Gray	O'Brien	Tully
Chase	Griggs	Parker	Tuttle, R. M.
Comstock	Gwinup	Pitcher	Warner
Costello	Hayes	Potter	Wells, J. L.
Crapser	Hoffman	Potts	Weston
Cullinan	Howland	Rhodes	Wiley
Curtis	Hurd	Russell	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Bradley offered for the consideration of the House the following privileged resolution:

*Resolved*, That when this House adjourns to-day, it be to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. O. S. Baker, and by unanimous consent, the bill entitled "An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company," in said city, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sipp
Andrews	Douglass	McAvoy	Sisson
Baker, B. F.	Duell	McCarthy	Skinner
Baker, C. S.	Duguid	McDonald	Slingerland
Beach	Ellis	Miller	Steele
Beates	Evans	Mitchell	Strait
Bradley	Fish	Mooers	Tallmadge
Brennan	Fitzgerald	Morgan	Terpeny
Bridges	Gillette	Newman	Terry
Brodsky	Gorsline	Nowlan	Treanor
Bullock	Gray	O'Brien	Tully
Carpenter, I. S.	Griggs	Parker	Tuttle, R. M.
Case	Gwinup	Pitcher	Varnum
Catlin	Hayes	Potter	Warner
Chase	Hoffman	Potts	Waterbury
Comstock	Howland	Rhodes	Wells, J. L.
Costello	Hurd	Roberts	Weston
Crapser	Husted	Sanders	Wiley
Cullinan	Ingersoll	Seeley	Wren
Curtis	Kennedy	Sherman	Youngs
Davis	Lefever	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 152, entitled "An act to establish a State board of health," and said bill was ordered to a third reading.

The Speaker announced the special order of the day, being Senate bill entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate bill entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Potts, from said committee, reported in favor of the passage

of said bill with amendments, and have amended the title by inserting, after the word "fire," the words "or marine;" which report was agreed to, and the same ordered to a third reading.

Mr. Husted moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sherman
Andrews	Dougherty	Lindsay	Shuit
Baker, B. F.	Douglass	Low	Sipp
Beach	Duguid	McAvoy	Sisson
Beates	Ellis	McCarthy	Skinner
Benedict, E. D.	Evans	McDonald	Slingerland
Bennett	Ferris	McTernan	Steele
Bradley	Fish	Miller	Strait
Brennan	Fiske	Mitchell	Tallmadge
Bridges	Gibbs	Mooers	Terpeny
Brodsky	Gillette	Morgan	Thilemann
Carpenter, I. S.	Gorsline	Newman	Tormey
Case	Gray	Nowlan	Tully
Catlin	Griggs	O'Brien	Tuttle, R. M.
Chase	Gwinup	O'Connor	Van Valkenburgh
Chickering	Hayes	Parker	Varnum
Clancy	Hoffman	Pitcher	Warner
Cohen	Howland	Potter	Wells, J. L.
Comstock	Husted	Potts	Weston
Costello	Ingersoll	Russell	Wiley
Cullinan	Kennedy	Seeley	Wren
Curtis	Lefever	Shanley	Youngs
Cushing			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Fiske offered for the consideration of the House a resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill, not printed, entitled "An act to extend the time for the collection of taxes in the county of Richmond," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Potts offered for the consideration of the House the following privileged resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, introductory No. 989, entitled "An act to extend the time for the collection of taxes in the town of Liberty, in Sullivan county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tallmadge moved that the bill entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,' " be made a special order for Tuesday afternoon, immediately after convening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Sherman
Andrews	Cullinan	Husted	Sipp
Baker, B. J.	Curtis	Ingersoll	Sisson
Baker, C. S.	Davis	Kennedy	Skinner
Beach	Deane	Lefever	Slingerland
Beates	Douglass	Liddle	Steele
Bradley	Duell	Lindsay	Tallmadge
Brennan	Duguid	Low	Terpeny
Bridges	Ellis	McDonald	Terry
Brodsky	Evans	Miller	Thileman
Bullock	Ferris	Mitchell	Tormey
Carpenter, E. A.	Fish	Mooers	Travis
Carpenter, I. S.	Fiske	Morgan	Tuttle, R. M.
Case	Gillette	Nowlan	Van Valkenburgh
Catlin	Gorsline	O'Brien	Varnum
Chamberlain	Gray	Parker	Warner
Chase	Griggs	Pitcher	Wells, J. L.
Childs	Gwinup	Potter	Weston
Clark	Hayes	Potts	Wren
Comstock	Hoffman	Russell	Youngs
Costello	Howland	Sheridan	

Those who voted in the negative, were

Benedict, T. E.	Dougherty	Newman	Tully
Cohen	Gibbs	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to compel the maintenance of certain

lights on draw bridges across the Hudson river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sipp
Andrews	Davis	Lefever	Sisson
Baker, B. F.	Deane	Liddle	Skinner
Baker, C. S.	Dougherty	Lindsay	Slingerland
Beach	Douglass	Low	Steele
Beates	Duell	McDonald	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Benedict, T. E.	Ellis	Mitchell	Terpeny
Bradley	Evans	Mooers	Terry
Brennan	Ferris	Morgan	Thilemann
Bridges	Fish	O'Brien	Travis
Brodsky	Gillette	Parker	Treanor
Bullock	Gorsline	Pitcher	Tully
Carpenter, E. A.	Gray	Potter	Tuttle, R. M.
Case	Griggs	Potts	Van Valkenburgh
Catlin	Gwinup	Rhodes	Warner
Chamberlain	Hoffman	Russell	Wells, J. L.
Chase	Howland	Shanley	Weston
Cohen	Husted	Sherman	Wiley
Comstock	Ingersoll	Shuit	Wren
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Varnum (introductory No. 291), entitled "An act relating to fees, percentages and allowances of public officers, a burden upon and charge against the various cities of the State," reported back the same complete as ordered by the House, which report was agreed to and said bill ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Varnum (introductory No. 286), entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures by said board," reported back the same complete as ordered by the House, which report was agreed to and said bill ordered to a third reading.

The bill entitled "An act to grant relief to the sureties of trustees, committees or guardians, appointed by or accountable to the Supreme Court or to any county court of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.



{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sipp
Andrews	Cushing	Liddle	Sisson
Ash	Davis	Lindsay	Skinner
Baker, C. S.	Douglass	McDonald	Slingerland
Beach	Duell	Miller	Steele
Beates	Duguid	Mitchell	Strait
Benedict, E. D.	Ellis	Mooers	Tallmadge
Bradley	Evans	Morgan	Terpeny
Brennan	Ferris	Newman	Terry
Bridges	Fish	Nowlan	Travis
Brodsky	Gillette	O'Brien	Treanor
Bullock	Gorsline	O'Connor	Tully
Carpenter, E. A.	Gray	Parker	Tuttle, R. M.
Carpenter, I. S.	Griggs	Pitcher	Van Valkenburgh
Case	Gwinup	Potter	Varnum
Chamberlain	Hayes	Potts	Warner
Chase	Hoffman	Rhodes	Wells, J. L.
Clark	Howland	Roberts	Weston
Comstock	Husted	Russell	Wiley
Crapser	Ingersoll	Sherman	Wren
Cullinan	Kennedy	Shuit	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the improvement of the public squares, parks or places in the Fourth avenue between 67th and 96th streets in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lindsay	Sipp
Andrews	Douglass	Low	Sisson
Baker, C. S.	Duell	McCarthy	Skinner
Beach	Ellis	McDonald	Slingerland
Beates	Evans	Miller	Steele
Benedict, E. D.	Ferris	Mitchell	Strait
Bridges	Fish	Mooers	Tallmadge
Brodsky	Gillette	Morgan	Terpeny
Bullock	Gorsline	Nowlan	Terry
Carpenter, I. S.	Gray	O'Brien	Titus
Case	Griggs	O'Connor	Travis
Catlin	Gwinup	Parker	Treanor
Chamberlain	Havens	Phillips	Tully
Chase	Hayes	Pitcher	Tuttle, R. M.
Clark	Hoffman	Potts	Van Valkenburgh
Cohen	Howland	Rhodes	Varnum
Comstock	Hurd	Root	Warner
Crapser	Ingersoll	Russell	Wells, D. A.
Curtis	Kennedy	Sanders	Weston
Davis	Lefever	Shanley	Wren
Deane	Liddle	Sherman	Youngs



*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sherman
Andrews	Deane	Low	Sipp
Beach	Dougherty	McCarthy	Sisson
Beates	Douglass	McDonald	Skinner
Benedict, E. D.	Duell	Mead	Slingerland
Bradley	Duguid	Miller	Steele
Brennan	Ellis	Mitchell	Strait
Bridges	Evans	Mooers	Tallmadge
Brodsky	Ferris	Morgan	Terpeny
Bullock	Fish	Newman	Terry
Carpenter, I. S.	Gillette	Nowlan	Titus
Case	Gorsline	O'Brien	Travis
Catlin	Gray	Parker	Treanor
Chamberlain	Griggs	Phillips	Tuttle, R. M.
Chase	Gwinup	Pitcher	Van Valkenburgh
Clancy	Havens	Potts	Varnum
Clark	Hayes	Rhodes	Warner
Cohen;	Hoffman	Root	Wells, D. A.
Comstock	Howland	Russell	Wells, J. L.
Crapser	Husted	Seeley	Weston
Cullinan	Kennedy	Shanley	Wren
Curtis	Lefever	Sheridan	Youngs
Cushing	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Sisson, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge,' " passed April 16, 1866, and the several acts amending and supplementing the same," and said bill was ordered to a third reading.

The bill entitled "An act for grading and planing Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Andrews	Curtis	Lefever	Sipp
Ash	Cushing	Low	Sisson
Baker, C. S.	Davis	McCarthy	Skinner
Beach	Deane	McDonald	Slingerland
Beates	Dougherty	Mead	Steele
Benedict, E. D.	Douglass	Miller	Tallmadge
Bradley	Duell	Mitchell	Terpeny
Brennan	Duguid	Mooers	Terry
Bridges	Ellis	Morgan	Titus
Brodsky	Evans	Nowlan	Travis
Bullock	Ferris	O'Brien	Treanor
Carpenter, I. S.	Fish	Parker	Tuttle, R. M.
Case	Gillette	Phillips	Van Valkenburgh
Catlin	Gorsline	Pitcher	Warner
Chamberlain	Griggs	Potts	Wells, D. A.
Childs	Gwinup	Rhodes	Wells, J. L.
Clancy	Hayes	Root	Weston
Clark	Hoffman	Russell	Wiley
Cohen	Howland	Seeley	Wren
Costello	Husted	Sheridan	Youngs
Crapsier	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shuit
Andrews	Davis	Liddle	Sipp
Baker, B. F.	Douglass	Low	Sisson
Baker, C. S.	Duell	McCarthy	Skinner
Beach	Duguid	McDonald	Slingerland
Beates	Ellis	Mead	Steele
Benedict, E. D.	Evans	Miller	Strait
Bradley	Fish	Mitchell	Tallmadge
Brennan	Fiske	Mooers	Terpeny
Bridges	Gibbs	Morgan	Terry
Brodsky	Gillette	Nowlan	Travis
Bullock	Gorsline	O'Brien	Treanor
Carpenter, I. S.	Gray	O'Connor	Tully
Case	Griggs	Parker	Tuttle, R. M.
Catlin	Gwinup	Potter	Van Valkenburgh
Chamberlain	Hayes	Potts	Warner
Chase	Hoffman	Russell	Wells, J. L.
Chickering	Howland	Sanders	Weston
Clark	Husted	Seeley	Wiley

Comstock  
Crapser  
Cullinan

Ingersoll  
Kennedy

Sheridan  
Sherman

Wren  
Youngs

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate ~~sent~~ for concurrence the bills entitled as follows:

"An act to release to Mary E. Cockburn the interest of the people of the State of New York in certain real estate in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act regulating the disposition of convicts in the State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

A message from the Senate was received and read, informing of concurrence in the bill entitled as follows:

"An act supplemental to the Code of Civil Procedure."

*Ordered,* That the Clerk deliver said bill to the Governor.

The Senate returned Senate bill entitled "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to, by reason of certain acts of this State," with a message that they have concurred in the amendments made therein in the Assembly.

*Ordered,* That the Clerk return said bill to the Senate.

Senate bill entitled "An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said Department to require special reports of such companies, passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Russell
Andrews	Costello	Kennedy	Sheridan
Baker, B. F.	Cullinan	Lefever	Sipp
Baker, C. S.	Deane	Liddle	Skinner
Beach	Dougherty	Lindsay	Slingerland
Benedict, E. D.	Duell	Low	Steele
Bradley	Duguid	McAvoy	Strait
Brennan	Ellis	McCarthy	Tallmadge
Bridges	Evans	Mead	Terpeny
Brodsky	Ferris	Miller	Thilemann
Bullock	Fish	Mitchell	Travis
Carpenter, E. A.	Gillette	Morgan	Treanor
Carpenter, I. S.	Gorsline	Nowlan	Tully
Case	Gray	O'Brien	Tuttle, R. M.
Chamberlain	Griggs	O'Connor	Warner
Chase	Hayes	Phillips	Wells, J. L.
Chickering	Hoffman	Potter	Weston

Childs  
Clark  
Cohen

Howland  
Husted

Potts  
Rhodes

Wiley  
Wren

Those who voted in the negative, were  
Gwinup

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved to lay said order of business on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Youngs (introductory No. 1086), entitled "An act to amend section 8, title 7, chapter 510 of the Laws of 1869," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was recommitted the Senate bill (introductory No. 223) entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 400) entitled "An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 480) entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'" reported in favor of the passage of the same.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 550) entitled "An act to amend chapter 142 of the Laws of 1879, entitled 'An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion, and the several acts amendatory thereof,'" reported in favor of the passage of the same.

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 531) entitled "An act further to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica, passed May 29, 1837, to alter the bonds and to enlarge the powers of the corporation of said village,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was

referred the Senate bill (introductory No. 484) entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes, and also section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Beates (introductory No. 646), entitled "An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 1073), entitled "An act for the relief of Babette Stemmler," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 1071), entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 212) entitled "An act making it a felony to steal, destroy or conceal a will, codicil, or other testamentary instrument," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 203) entitled "An act to repeal chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 31) entitled "An act for the relief of John Waller," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Youngs (introductory No. 1101), entitled "An act in relation to unpaid taxes and water assessments in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Privileges of the floor were granted to Hon. Mr. Miller, former member of this House.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Youngs (introductory No. 1108), entitled "An act in relation to the city government of Long Island City," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 214), entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Liddle (introductory No. 1084), entitled "An act authorizing individual joint-stock associations, or corporations engaged in manufacturing, to lay down railroad tracks connecting their manufacturing establishments with existing railroads," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Husted (introductory No. 1078), entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 1033), entitled "An act to amend 'An act to authorize the formation of railroad corporations and to regulate the same,'" passed April 2, 1850, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Slingerland (introductory No. 1042), entitled "An act to create a board of charities for the city and county of Albany," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Slingerland, and by unanimous consent, said bill was ordered engrossed and to a third reading.

Mr. Van Valkenburgh called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 650, printed No. 566, entitled "An act to provide for the protection of mechanics and others," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 736, printed No. 636, entitled "An act to amend an act entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March twenty-first, eighteen hundred and sixty-two," reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out the words "of the act" and insert "of chapter thirty-six of the Laws of eighteen hundred and sixty-two."

Also amend the title so that it will read:

"An act to amend chapter thirty-six of the Laws of eighteen hundred and sixty-two, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers.'"



Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 223, printed No. 206, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May second, eighteen hundred and sixty-four," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read:

"An act to amend chapter five hundred and fifty-five of the Laws of eighteen hundred and sixty-four, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplementary thereto.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 655, printed No. 571, entitled "An act to amend chapter five hundred and ten of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April fifteenth, eighteen hundred and thirty-seven, and the several acts amendatory thereof, passed March twentieth, eighteen hundred and fifty-seven,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 624, printed No. 548, entitled "An act to amend chapter sixteen of part one of the Revised Statutes in relation to highways and bridges," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 349, printed No. 323, entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 576, printed No. 505, entitled "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Millford, in the county of Otsego," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 752, printed No. 647, entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 677, printed No. 592, entitled "An act to release the interest of the people of this State in certain real estate of which Paul Pontaw, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson," reported in favor of the passage of the same, with amendments as follows:

To change the word "Pontaw" to "Pontau" wherever it occurs in the title and bill.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 442, printed No. 404, entitled "An act for the relief of W. H. Carver," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 867, not printed, entitled "An act to repeal chapter three hundred and six of the Laws of eighteen hundred and sixty-six, entitled 'An act for the protection of the planting of oysters in the towns of Huntington and Islip, in the county of Suffolk, New York,' and chapter six hundred and sixty-six of the Laws of eighteen hundred and seventy-two, amendatory thereof, so far as said act may be applicable to the present town of Huntington in said county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 759, printed No. 245, entitled "An act to incorporate the 'Maenner Gesang Verein Eichenkranz,'" reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered,* That said bills be engrossed for a third reading.

Mr. Ingersoll introduced a bill entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. E. D. Benedict introduced a bill entitled "An act for the better protection of manufacturing interests," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Costello introduced a bill entitled "An act to amend 'An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" passed June 24, 1853, passed April 24, 1866, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was ordered to a third reading.

Mr. Speaker introduced a bill entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds, for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. C. S. Baker introduced a bill entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,'" which was read the first time, and by unanimous consent was



also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That the process of kiln-drying lumber, in the basement of this building, by and from which this committee and other rooms are filled with unpleasant and noxious odors, is to be deprecated.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Tuttle offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 207, general orders No. 699, entitled "An act to amend chapter 290 of the Laws of 1872, entitled 'An act to authorize the Blossburg Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, to hold real estate for the purposes of business,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. B. F. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 663, entitled "An act to facilitate the collection of judgments," be considered in the first committee of whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 121, entitled "An act for the removal of the reservoir situated in the city of New York, between 40th and 42d streets," be made a special order for Thursday next, at 11 o'clock, A. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 161, general orders No. 875, entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of cer-

tain corporations formed according to the provisions of chapter 374 of the Laws of 1877," he referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company in said city."

"An act for the division of the town of Tompkins, in the county of Delaware, and for the erection of a new town from the western portion thereof."

"An act amending the Code of Civil Procedure."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Chickering presented a protest against the passage of the Hepburn railroad bill, No. 22; which was read and referred to the committee on railroads.

Messrs. Chickering, Ellis, Ingersoll, Parker and Case presented petitions in favor of the passage of the Hepburn railroad bill, No. 22; which were read and referred to the committee on railroads.

Messrs. Baker, Fish, Parker, Bradley, Ingersoll and Wells presented petitions with reference to the excise laws and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Duguid, Alvord and Skinner presented petitions with reference to taxation of savings banks; which were read and referred to the special committee on taxation.

Messrs. Duguid and Wells presented petitions against taxation of church property; which were read and referred to the special committee on taxation.

Mr. Parker presented a petition in favor of the passage of Senate bill No. 328, in reference to fire insurance companies; which was read and referred to the committee on insurance.

Mr. — Wells presented a petition in favor of the passage of Assembly bill No. 366, for the better protection of seamen; which was read and referred to the committee on commerce and navigation.

Mr. Bradley presented a petition of the city court of Yonkers in favor of restoring to it its former powers; which was read and referred to the committee on the judiciary.

Mr. Travers presented a petition against the passage of Assembly bill No. 607, relating to certain assessments for local improvements in the city of New York; which was read and referred to the committee having the bill in charge.

Mr. Cohen offered for the consideration of the House a resolution in the words following:

*Whereas*, On the 15th day of April, 1880, through a combination formed by the gas companies in the city and county of New York, said combination, through unfair and extortionate means, advanced the prices of gas by a single stroke of the pen one hundred and twenty-five per cent; and

*Whereas*, But a slight advance has been made in the price of coal since the year 1878, and not sufficient to warrant any advance whatsoever in the price of gas; and

*Whereas*, Said advance is simply an extortion by those who have the legal power to consummate it, and who have combined together for that purpose, and thus secure themselves from competition; and

*Whereas*, No reason whatever for the change, and with the most sublime impudence, have simply issued a notice that "on and after the 15th day of April, 1880," their consumers will pay a price which to the leading consumers will be twice and a quarter the rate they paid the day before; therefore,

*Resolved*, That the committee on general laws be, and they are, hereby requested to draft and introduce at once an act which will authorize the city of New York to take at a fair valuation, to be assessed by disinterested commissioners, the pipes and other property of all the gas companies, to organize the manufacture as a part of the city works, and to furnish the people with the needed light at its proper and reasonable cost.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. McCarthy offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 511, general orders No. 586, entitled "An act in relation to the employment of convicts confined in the State prisons of this State," be made the special order of Tuesday, April 27, 1880, at 4 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Mitchell offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 536, general orders No. 609, entitled "An act in relation to the removal or suspension of attorneys and counselors at law," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Bennett offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 643, general orders No. 745, entitled "An act to amend chapter 32 of the Laws of 1873, entitled 'An act to regulate the pay of firemen in the city of New York,'" be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Brodsky offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 440, general orders No. 486, entitled "An act for the relief of Isaac Piser," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Russell offered for the consideration of the House a resolution in the words following.:

*Resolved*, That Senate bill No. 151, general orders No. 863, entitled "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the com-

missioners thereof and their subordinates," be made a special order for Tuesday afternoon, April 27, 1880, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 55 }  
{ NOES 23 }

Those who voted in the affirmative, were

Andrews	Clark	Lefever	Sipp
Baker, B. F.	Comstock	Liddle	Skinner
Baker, C. S.	Cullinan	Lindsay	Slingerland
Beach	Deane	Low	Steele
Beates	Duell	Mead	Terry
Bradley	Duguid	Mitchell	Travis
Brennan	Evans	Mooers	Tuttle, R. M.
Bridges	Fish	Morgan	Van Valkenburgh
Brodsky	Gillette	Nowlan	Varnum
Bullock	Gray	O'Brien	Warner
Carpenter, E. A.	Hurd	Phillips	Wells, J. L.
Case	Husted	Pitcher	Wren
Chamberlain	Ingersoll	Potts	Youngs
Chickering	Kennedy	Russell	

Those who voted in the negative, were

Alvord	Dougherty	McDonald	Tallmadge
Benedict, E. D.	Gibbs	McTernan	Thilemann
Benedict, T. E.	Hagan	Newman	Tormey
Catlin	Hoffman	Parker	Treanor
Clancy	McAvoy	Rhodes	Walsh
Cohen	McCarthy	Shanley	

On motion of Mr. Alvord, and at 1 o'clock and 10 minutes, the House adjourned.

### MONDAY EVENING, APRIL 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkreg.

The journal of Friday was read and approved.

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 54, entitled "An act to amend an act entitled 'An act to incorporate the public exchange, passed April 22, 1868,' " for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to Mr. Crapser.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 678, general orders No. 799, entitled "An act to amend an act entitled 'An act to incorporate the Chateaugay Water Works Company,'" passed May 5, 1868, and that said bill be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Superintendent of the Insurance Department be, and he is hereby, requested to furnish to this House, within twenty-four hours, copies of any and all correspondence had between him and any and every life insurance company organized under the laws of, or doing business in, this State, which may have reference to any examination of the assets of any such company, since the date of the nomination or confirmation of his successor, Mr. Fairman.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McCabe	Sipp
Baker, B. F.	Deane	Miller	Skinner
Baker, C. S.	Dougherty	Mooers	Slingerland
Beach	Douglass	Morgan	Steele
Beates	Duguid	Newman	Strait
Bennett	Ellis	Nowlan	Tallmadge
Brennan	Evans	Parker	Terpeny
Bridges	Ferris	Peck	Terry
Bredsky	Fish	Phillips	Travis
Bullock	Fiske	Pitcher	Treanor
Carpenter, I. S.	Gibbs	Potter	Tully
Case	Gray	Potts	Tuthill, H. H.
Catlin	Griggs	Root	Tuttle, R. M.
Chamberlain	Havens	Russell	Van Valkenburgh
Chickering	Howland	Sanders	Varnum
Childs	Hurd	Seeley	Walsh
Clark	Husted	Shanley	Waterbury
Olowes	Lefeyer	Sheridan	Wells, J. L.
Congdon	Lindsay	Sherman	Wren
Cookinham	Low	Shuit	Mr. Speaker
Cullinan	McAvoy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for

the collection of taxes,' as amended by chapter 448 of the Laws of 1879, and supplemental thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Liddle	Shanley
Baker, B. F.	Cookinham	Lindsay	Sheridan
Baker, C. S.	Cullinan	Low	Shuit
Beach	Curtis	McAvoy	Sipp
Beates	Deane	McCabe	Skinner
Benedict, E. D.	Dougherty	Miller	Slingerland.
Benedict, T. E.	Douglass	Mooers	Steele
Bennett	Duguid	Morgan	Strait
Brennan	Ellis	Newman	Tallmadge
Bridges	Ferris	Nowlan	Terpeny
Brodsky	Fiske	Parker	Terry
Bullock	Gillette	Peck	Travis
Carpenter, I. S.	Gray	Phillips	Treanor
Case	Griggs	Pitcher	Tuthill, H. H.
Catlin	Havens	Potter	Tuttle, R. M.
Chamberlain	Hayes	Potts	Van Valkenburgh
Chase	Howland	Root	Walsh
Chickering	Hurd	Russell	Waterbury
Childs	Husted	Sanders	Wells, J. L.
Clark	Lefever	Seeley	Wren
Clowes			

Those who voted in the negative, were

Fish

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Baker, C. S.	Deane	Low	Shuit
Beach	Douglass	McAvoy	Sipp
Beates	Duguid	McCabe	Skinner
Benedict, E. D.	Ellis	Miller	Slingerland
Brennan	Evans	Mooers	Steele
Bridges	Ferris	Morgan	Strait



Brodsky	Fish	Newman	Tallmadge
Bullock	Fiske	Nowlan	Terpeny
Carpenter, I. S.	Gillette	Peck	Terry
Case	Gray	Phillips	Travis
Catlin	Griggs	Pitcher	Treanor
Chamberlain	Hagan	Potter	Tuthill, H. H.
Chickering	Hayes	Potts	Tuttle, R. M.
Childs	Howland	Root	Van Valkenburgh
Clark	Hurd	Russell	Waterbury
Clowes	Husted	Sanders	Wells, J. L.
Congdon	Lefever	Seeley	Youngs
Cookinham			

Those who voted in the negative, were

Benedict, T. E.	Parker	Tully	Walsh
Havens			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Theodore P. Ballou," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sherman
Baker, B. F.	Curtis	Low	Shuit
Baker, C. S.	Deane	McCabe	Sipp
Beach	Dougherty	Miller	Slingerland
Beates	Douglass	Mooers	Steele
Benedict, E. D.	Duguid	Morgan	Strait
Benedict, T. E.	Evans	Newman	Tallmadge
Bridges	Ferris	Nowlan	Terpeny
Brodsky	Fish	Parker	Terry
Carpenter, I. S.	Fiske	Peck	Thilemann
Case	Gillette	Phillips	Travis
Catlin	Gray	Pitcher	Tuthill, H. H.
Chamberlain	Hagan	Potts	Tuttle, R. M.
Chase	Hayes	Root	Van Valkenburgh
Chickering	Howland	Russell	Walsh
Childs	Hurd	Sanders	Waterbury
Clark	Husted	Seeley	Wells, J. L.
Clowes	Lefever	Shanley	Wren
Congdon	Liddle	Sheridan	Youngs

Those who voted in the negative, were

Ellis	Potter	Skinner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the duties of supervisor for the town of Saratoga Springs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Shanley
Baker, B. F.	Curtis	Lindsay	Sheridan
Baker, C. S.	Deane	Low	Sherman
Beach	Dougherty	McAvoy	Shuit
Beates	Douglass	McCabe	Sipp
Benedict, T. E.	Duguid	Miller	Skinner
Brennan	Ellis	Mooers	Strait
Bridges	Evans	Morgan	Tallmadge
Brodsky	Ferris	Newman	Terpeny
Bullock	Fish	Nowlan	Terry
Carpenter, I. S.	Fiske	Parker	Thilemann
Case	Gray	Peck	Travis
Catlin	Griggs	Phillips	Treanor
Chase	Gwinup	Pitcher	Tuthill, H. H.
Chickering	Havens	Potter	Tuttle, R. M.
Childs	Hayes	Potts	Van Valkenburgh
Clark	Howland	Root	Waterbury
Clowes	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Wren
Cookinham	Lefever	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

The bill entitled "An act to amend chapter 817 of the Laws of 1873, entitled "An act to provide for the support of the poor in the county of Jefferson, and to legalize the action of the legal voters of the town of Henderson in the election of an overseer of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sanders
Baker, B. F.	Cullinan	Lefever	Shanley
Baker, C. S.	Curtis	Liddle	Sheridan
Beach	Deane	Lindsay	Shuit
Beates	Dougherty	Low	Sipp
Benedict, E. D.	Douglass	McAvoy	Skinner
Benedict, T. E.	Duguid	McCabe	Steele
Bennett	Ellis	Miller	Strait
Brennan	Evans	Morgan	Tallmadge
Bridges	Ferris	Newman	Terpeny
Brodsky	Fish	Nowlan	Terry
Bullock	Fiske	Parker	Travis
Carpenter, I. S.	Gillette	Peck	Treanor
Catlin	Gray	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Pitcher	Tuttle, R. M.
Chickering	Gwinup	Potter	Van Valkenburgh
Childs	Havens	Potts	Waterbury



Clark  
Clowes  
Congdon

Hayes  
Howland  
Hurd

Root  
Russell

Wells, J. L.  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to companies insuring steam boilers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shanley
Baker, B. F.	Cullinan	Liddle	Sheridan
Baker, C. S.	Curtis	Lindsay	Sherman
Beach	Deane	Low	Shuit
Beates	Dougherty	McAvoy	Sipp
Benedict, E. D.	Douglass	McCabe	Skinner
Benedict, T. E.	Duguid	Miller	Slingerland
Brennan	Ellis	Mooers	Strait
Bridges	Evans	Morgan	Tallmadge
Brodsky	Ferris	Newman	Terpeny
Bullock	Fish	Nowlan	Terry
Carpenter, I. S.	Fiske	Parker	Thilemann
Case	Gray	Peck	Travis
Catlin	Griggs	Phillips	Treanor
Chamberlain	Gwinup	Pitcher	Tuthill, H. H.
Chase	Hagan	Potter	Tuttle, R. M.
Chickering	Havens	Potts	Van Valkenburgh
Childs	Hayes	Root	Waterbury
Clark	Howland	Russell	Wells, J. L.
Clowes	Hurd	Sanders	Wren
Congdon	Husted	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 272 of the Laws of 1837, entitled 'An act to incorporate the Society for the relief of Half Orphan and Destitute Children in the City of New York,'" which was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 69 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sheridan
Baker, B. F.	Curtis	McAvoy	Sherman
Baker, C. S.	Deane	Miller	Shuit
Beach	Dougherty	Mooers	Skinner
Beates	Douglass	Morgan	Steele
Benedict, E. D.	Duguid	Newman	Strait
Benedict, T. E.	Ellis	Nowlan	Tallmadge
Bridges	Evans	Parker	Terpeny

Brodsky	Ferris	Peck	Terry
Bullock	Fish	Pitcher	Thilemann
Carpenter, I. S.	Fiske	Potter	Travis
Case	Gillette	Potts	Treanor
Oatlin	Gray	Root	Tuthill, H. H.
Chamberlain	Havens	Russell	Tuttle, R. M.
Chase	Howland	Sanders	Van Valkenburgh
Chickering	Husted	Seeley	Waterbury
Childs	Lefever	Shanley	Wren
Clark			

Mr. Brodsky moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 74 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McCabe	Skinner
Baker, B. F.	Dougherty	Miller	Slingerland
Baker, C. S.	Douglass	Mooers	Strait
Beach	Duell	Newman	Tallmadge
Beates	Duguid	Nowlan	Terpeny
Benedict, E. D.	Ellis	Parker	Terry
Brennan	Evans	Pitcher	Thilemann
Bridges	Ferris	Potter	Travis
Brodsky	Fish	Potts	Treanor
Bullock	Fiske	Root	Tully
Carpenter, I. S.	Gillette	Russell	Tuthill, H. H.
Case	Gray	Sanders	Tuttle, R. M.
Chamberlain	Griggs	Seeley	Van Valkenburgh
Chickering	Havens	Shanley	Varnum
Clark	Howland	Sheridan	Waterbury
Clowes	Lefever	Sherman	Wells, J. L.
Congdon	Lindsay	Shuit	Wren
Cullinan	Low	Sipp	Youngs
Curtis	McAvoy		

Mr. Brodsky moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act for the better security of the bonds of public officers and others," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sherman
Baker, B. F.	Deane	McAvoy	Shuit

Baker, C. S.	Dougherty	McCabe	Sipp
Beach	Douglass	Miller	Skinner
Beates	Duguid	Mooers	Slingerland
Benedict, E. D.	Ellis	Morgan	Steele
Brennan	Evans	Newman	Strait
Bridges	Ferris	Nowlan	Tallmadge
Brodsky	Fish	Parker	Terpeny
Bullock	Fiske	Peck	Terry
Carpenter, I. S.	Gillette	Phillips	Thilemann
Case	Gray	Pitcher	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chickering	Hagan	Potts	Van Valkenburgh
Childs	Hayes	Root	Varnum
Clark	Howland	Russell	Waterbury
Clowes	Hurd	Sanders	Wells, J. L.
Congdon	Lefever	Seeley	Wren
Cookinham	Liddle	Shanley	Youngs
Cullinan	Lindsay	Sheridan	

Those who voted in the negative, were

Benedict, T. E.	Havens	Travis	Walsh
Gwinup			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 1873 of the Laws of 1866, entitled "An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Clowes	Gwinup	Russell
Andrews	Congdon	Hayes	Sanders
Baker, B. F.	Cookinham	Hurd	Seeley
Baker, C. S.	Cullinan	Lefever	Sherman
Beach	Curtis	Liddle	Sipp
Beates	Deane	Low	Skinner
Benedict, T. E.	Dougherty	McCabe	Tallmadge
Bridges	Douglass	Miller	Terpeny
Brodsky	Duguid	Mooers	Travis
Bullock	Ellis	Morgan	Tuthill, H. H.
Carpenter, I. S.	Evans	Newman	Tuttle, R. M.
Case	Ferris	Nowlan	Van Valkenburgh
Oatlin	Fish	Parker	Varnum
Chamberlain	Fiske	Phillips	Wells, J. L.
Chickering	Gillette	Potter	Wren
Childs	Gray	Potts	Youngs
Clark	Griggs	Root	

Those who voted in the negative, were

Benedict, E. D.	Peck	Shuit	Thilemann
Hagan	Pitcher	Slingerland	Walsh
Howland	Shanley	Strait	

*Ordered*, That the Clerk return said bill to the Senate, with a mess-

age informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 223, entitled "An act to amend chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street,' " for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bill entitled "An act to protect the rights of policy-holders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Senate returned Assembly bill entitled "An act to legalize the official acts of Daniel F. St. John, a justice of the peace of the town of Clarendon, in the county of Orleans," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 12, strike out the word "all;" same line, after the word "the" insert the word "same;" same section, line 13, strike out the word "as" and insert the words "That it would have had."

Section 2, line 1, after the word "act" insert the word "contained."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Cullinan	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Deane	McAvoy	Skinner
Beach	Dougherty	McCabe	Slingerland
Beates	Douglass	Miller	Strait
Benedict, E. D.	Duguid	Mooers	Tallmadge
Benedict, T. E.	Ellis	Newman	Terpeny
Bennett	Evans	Parker	Thilemann
Brennan	Fish	Peck	Travis
Bridges	Fiske	Phillips	Treanor
Brodsky	Gillette	Pitcher	Tuthill, H. H.
Bullock	Gray	Potter	Tuttle, R. M.
Carpenter, I. S.	Griggs	Potts	Van Valkenburgh
Case	Gwinup	Roberts	Varnum
Catlin	Hayes	Root	Walsh
Chickering	Howland	Russell	Wells, J. L.
Childs	Hurd	Seeley	Wren
Clark	Husted	Shanley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to provide for

the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers," with a message that they have concurred in the passage of the same with the following amendments:

In section 2, line 1, strike out the word "seven" and insert "five."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Sheridan
Andrews	Congdon	Husted	Sherman
Baker, B. F.	Cookinham	Lefever	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	Lindsay	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCabe	Strait
Benedict, T. E.	Douglass	Miller	Tallmadge
Bennett	Duguid	Mooers	Terpeny
Brennan	Ellis	Morgan	Thilemann
Bridges	Evans	Newman	Travis
Brodsky	Ferris	Nowlan	Treanor
Bullock	Fish	Parker	Tuthill, H. H.
Carpenter, I. S.	Fiske	Phillips	Tuttle, R. M.
Case	Gillette	Potter	Van Valkenburgh
Catlin	Gray	Potts	Varnum
Chamberlain	Griggs	Root	Waterbury
Chickering	Gwinup	Russell	Wells, J. L.
Childs	Hayes	Shanley	Wren
Clowes	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act conferring additional powers upon the board of supervisors of the county of Franklin," with a message that the vote on the final passage of said bill was reconsidered, and said bill, as amended in Assembly, passed with the following additional amendments:

Section 1, line 4, printed bill, after the word "county" insert the following: "Such highway district to be established only upon the application of the owners of more than one-half of the non-resident lands to be included therein."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shanley
Andrews	Curtis	Liddle	Sheridan
Baker, B. F.	Deane	Lindsay	Sherman
Baker, C. S.	Dougherty	McAvoy	Shuit
Beach	Douglass	McCabe	Sipp
Beates	Duguid	Miller	Skinner

Benedict, E. D.	Ellis	Mooers	Slingerland
Benedict, T. E.	Evans	Morgan	Steele
Bennett	Ferris	Nowlan	Tallmadge
Brennan	Fish	Parker	Terpeny
Bridges	Fiske	Peck	Travis
Brodsky	Gorsline	Phillips	Treanor
Bullock	Gray	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potter	Tuttle, R. M.
Case	Gwinup	Potts	Van Valkenburgh
Catlin	Havens	Root	Waterbury
Chamberlain	Hayes	Russell	Wells, J. L.
Chickering	Howland	Sanders	Wren
Childs	Husted	Seeley	Youngs
Clowes			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 365 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport,' and the acts amendatory thereof," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 11, after the word "city" strike out the balance of the section.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 81 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Cullinan	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Deane	McAvoy	Skinner
Beach	Dougherty	McCabe	Slingerland
Beates	Douglass	Miller	Steele
Benedict, E. D.	Duguid	Mooers	Strait
Benedict, T. E.	Ellis	Morgan	Tallmadge
Bennett	Evans	Newman	Terpeny
Brennan	Ferris	Nowlan	Thilemann
Bridges	Fish	Parker	Travis
Brodsky	Gillette	Peck	Treanor
Bullock	Gray	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potter	Tuttle, R. M.
Case	Gwinup	Potts	Van Valkenburgh
Catlin	Havens	Root	Varnum
Chamberlain	Hayes	Russell	Waterbury
Chickering	Howland	Sanders	Wells, J. L.
Childs	Hurd	Seeley	Wren
Clowes	Husted	Shanley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the

National Guard of the State of New York, and for the public defense, and entitled 'the Military Code.' "

The bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,' " being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee on militia with instructions to amend said bill so that it will read as follows, and report forthwith :

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code.' "

*The People of the State of New York, represented in Senate and Assembly, do enact as follows :*

Section 1. Section 8 of chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code,' " is hereby amended so as to read as follows :

§ 8. The National Guard of the State of New York shall consist of the present uniformed militia, and such volunteers as shall enroll themselves or enlist therein, and shall be organized in such number of divisions, brigades, regiments, battalions, troops, batteries and companies, and of such arms of the service as the commander-in-chief may determine and designate. The present divisions, brigades, regiments, battalions, troops, batteries and companies shall remain as now established, subject, however, to the power of the commander-in-chief to alter, divide, consolidate, transfer or disband the same; provided that the aggregate force of the same, in time of peace, fully armed, uniformed and equipped, shall not exceed the number of 20,000, non-commissioned officers, musicians (exclusive of musicians organized into bands not enlisted) and privates; but the commander-in-chief shall have power, in case of war, insurrection or invasion, or imminent danger thereof, to increase the force beyond the said 20,000, and organize the same as the exigencies of the service may require.

§ 2. Section 13 of said act is hereby amended so as to read as follows :

§ 13. Volunteers may be received and enlisted in any troop, battery, or company; and they shall be enlisted in the first instance for a term of five years, and, on the expiration of that term, they may be re-enlisted, either immediately or at any time thereafter, for terms of one or more years, at the option of the volunteer; and the same privileges of re-enlistment shall be accorded to all persons who have been honorably discharged from the army or navy or volunteer force of the United States; but no person above the age of forty-five years shall be enlisted; and no person under the age of twenty-one years shall be enlisted without the consent of his parent or guardian; and no non-commissioned officer, musician or private shall leave one troop, battery or company, to join another, except as hereinafter provided, provided, however, that non-commissioned officers, musicians and privates who have changed their residence from one division district



to another division district may enlist in a troop, battery or company of the division district into which they have removed, and in that case they shall be dropped from the rolls of the troop, battery or company in which they were serving, and a certificate of their time of service therein shall be furnished to them; and, in case of re-enlistments, the whole time of service in both troops, batteries or companies shall be computed and allowed in determining the question of discharge after five years' service. On their own application enlisted men (non-commissioned officers being first reduced to the ranks) may be transferred from one company to another in the same regiment or battalion by the commanding officer of the regiment or battalion, and from one troop, battery or separate company to another, or to any other organization of any regiment or battalion by the commanding officer of the division or brigade to which such troop, battery or separate company is attached. If the transfer be from one regiment or battalion to another in the same brigade, it must be ordered by the commanding officer of the brigade. If from brigade to brigade, in the same division, by the commanding officer of the division. If from division to division, by the commander-in-chief. In cities or villages, where there are no regimental or battalion organizations of infantry, separate companies of that arm of the service may be organized, to be attached to brigades or divisions; and all the provisions of the Military Code relating to separate troops or batteries shall apply to such separate companies of infantry, except as herein otherwise provided.

§ 3. Section 67 of said act is hereby amended so as to read as follows:

§ 67. Sergeant-majors, quartermaster-sergeants, commissary-sergeants, ordnance-sergeants, hospital stewards, drum-majors, band-leaders, sergeant standard bearers and general guides shall be appointed by the commanding officer of the regiment or battalion to which they belong, by warrant under the hand of such commanding officer, and shall hold their offices during his pleasure; provided, however, that before such appointment they shall have been duly enlisted in the National Guard of this State, and each person so appointed shall be a member of some company of the regiment or battalion at the time of his appointment, excepting in the case of hospital stewards, drum-majors and band leaders, who may be civilians, but who, during the term of their appointment, shall be subject to the laws governing the National Guard.

§ 4. Section 68 of said act is hereby amended so as to read as follows:

§ 68. Except as otherwise provided in this act, captains, lieutenants and non-commissioned officers of troops, batteries and companies, shall be chosen by the written or printed votes of the members of troops, batteries or companies respectively; provided that quartermaster-sergeants of such troops, batteries and companies shall, subject to the provisions of section 92 of this act, be appointed by the commandants of such troops, batteries and companies respectively. Field officers of regiments or battalions by the written or printed votes of the field officers and the commissioned troop, battery or company officers of their respective regiments or battalions; and brigadier-generals by the written or printed votes of the field officers and the com-



mandants of the separate troops, batteries or companies of infantry of their respective brigades.

§ 5. Section 92 of said act is hereby amended so as to read as follows :

§ 92. Such election for non-commissioned officers shall be directed and conducted by the commanding officer of such troop, battery or company for the time being, who shall certify the names of the persons elected, and also of those appointed by him, to the commanding officer of the regiment or battalion to which the troop, battery or company belongs ; or in the case of a separate troop, battery or company, to the commandant of the division or brigade to which such separate troop, battery or company is attached, and such regimental or battalion commanding officer, or division or brigade commandant, as the case may be, shall decide upon the legality of the election, and shall issue warrants to the persons duly elected or appointed. But before issuing such warrants, the commandant of the regiment or battalion to which the troop, battery or company belongs ; or in the case of a separate troop, battery or company, the commandant of the brigade or division to which it is attached, shall require the persons so elected or appointed to be examined with respect to their qualifications and fitness to fill the offices to which they have been so elected or appointed, by a board of examiners consisting of three commissioned officers, to be appointed by the commandant of the regiment, battalion, brigade or division, as the case may be, respectively ; and if, on the report of such board of examiners, the commandant of the regiment, battalion, brigade or division, as the case may be, shall adjudge the person so elected or appointed unqualified for the office, another person shall, within ten days after due notice of such adverse decision, be elected or appointed ; and in default of such election, the vacancy shall be filled by the commandant of the regiment, battalion, brigade or division, as the case may be.

§ 6. Section 106 of said act is hereby amended so as to read as follows :

§ 106. The commanding officer of each regiment or battalion may, in his discretion, enlist a band of musicians not exceeding twenty-five in number, and by warrant, under his hand, may appoint a leader of such band, with the rank of sergeant.

§ 7. Section 107 of said act is hereby amended so as to read as follows :

§ 107. Such musicians shall be subject to the orders of such leader, and be under the command of the commanding officer of the regiment or battalion ; and the whole or any part of said band may be required by such commanding officer to appear at any meeting of the officers for military purposes, or at any parade of such regiment or battalion.

§ 8. Section 121 of said act is hereby amended so as to read as follows :

§ 121. The expense of renting or erecting such armories and for providing the necessary camp stools, apparatus and fixtures for heating and lighting, and the fuel and gas or oil for the same, and water-closets in such building, and for properly preserving from injury the arms, equipments, uniforms and records stored therein, by the construction of suitable lockers, closets, gun racks and cases for uniforms, equipments, arms and records, and for the maintenance thereof in good and safe repair, shall be a portion of the county charges of

such county, and shall be levied, collected and paid in the same manner as other county charges are levied, collected and paid. But no moneys shall be appropriated, or expenses incurred for furnishing or decorating any building erected or rented under the provisions of this act. And no moneys shall be appropriated or expenses incurred, to be paid out of moneys thus levied and collected, except for the erecting or renting of such armories, unless the necessity of such expenditure shall have been examined into by the auditing boards of the commands, and certified to as necessary by the respective presidents thereof, who shall report to the Adjutant-General annually in December, on or before the fifteenth day thereof, a recapitulation of the expenses thus incurred.

§ 9. Section 130 of said act is hereby amended so as to read as follows:

§ 130. An annual muster of all general and staff officers, and of all organizations of the National Guard, shall be made at such time and place between the first day of May and the first day of November as the commander-in-chief shall order and direct. No person shall be mustered at the annual muster, or be permitted in the ranks on any parade or drill required by this act, who does not appear uniformed, armed and equipped suitably to the troop, battery or company to which he belongs, and according to the provisions of this act; and all members of the National Guard who shall appear without such suitable uniform, arms and equipments at any parade or drill required by this act shall be returned as absent and fined accordingly. Such muster shall be made by the inspector-general, assistant inspector-general or an acting assistant inspector-general, of each commissioned and non-commissioned officer, musician (exclusive of musicians composing bands not enlisted), and private present and absent, and three muster-rolls shall be officially certified to by such inspector, in accordance with such regulations and restrictions as may be prescribed by the commander-in-chief. And the said inspector shall, within fifteen days after the day of muster, file one of the said muster-rolls in the office of the Adjutant-General, and one with the commandant of the troop, battery or company, and retain one himself.

§ 10. Section 134 of said act is hereby amended so as to read as follows:

§ 134. No parade or rendezvous of the National Guard shall be ordered on any day during which a general or special election shall be held, nor within five days previous to such election, except in case of riot, invasion or insurrection, or of imminent danger thereof; and if any officer shall order any such parade or rendezvous, he shall forfeit and pay to the people of this State the sum of \$500. Provided, that a court-martial or court of inquiry shall not be deemed a rendezvous of the National Guard.

§ 11. Section 149 of said act is hereby amended so as to read as follows:

§ 149. It shall be the duty of the commandants of troops, batteries or companies, twenty days prior to the annual muster and inspection, to furnish the Inspector-General with three copies of a muster-roll, which will show the names and rank or grade of all the officers, non-commissioned officers, musicians and privates belonging to such troop, battery or company, upon such form as may be prescribed by the commander-in-chief.

§ 12. Section 150 of said act is hereby amended so as to read as follows:

§ 150. It shall be the duty of each commandant of a regiment or battalion, twenty days prior to the annual muster, to furnish the Inspector-General with three copies of a muster-roll and inspection return of the field and staff officers, and non-commissioned staff officers, and enlisted bands of said regiment or battalion, and each general officer shall furnish like rolls of his staff officers within the said time; and the inspector shall, within fifteen days after the day of muster, file one of the muster-rolls in the office of the Adjutant-General, and one with the officer who furnished the rolls.

§ 13. Section 166 of said act is hereby amended so as to read as follows:

§ 166. Battery, troop or company commanders, respectively, may appoint from the enlisted men of their command, for the discharge of the usual clerical duty incident thereto, a suitable person as clerk, to whom there shall be paid annually out of the respective regimental battalion, battery, troop or company, funds provided by section 178 of this act, the sum of \$50, to be paid in the same manner as other accounts are paid from such funds.

§ 14. Section 178 of said act is hereby amended so as to read as follows:

§ 178. The Comptroller shall annually draw his warrant upon the treasurer in favor of the county treasurer of each county for the sum of \$1,500 for each regiment, and the sum of \$1,000 for each battalion, and the sum of \$1,000 for each separate mounted battery, and the sum of \$200 for each separate battery not mounted, and the sum of \$600 for each separate troop of cavalry, and the sum of \$500 for each separate company of infantry, certified by the Adjutant-General to be organized according to the provisions of this act, within the county; or in case any regiment, battalion or separate troop, battery or company of infantry is organized in two or more counties, then the Comptroller shall draw his warrant in favor of such county treasurer as the Adjutant-General may in his certificate direct; which sums, and also those paid in like manner by the State, in lieu of furnishing uniforms and equipments, as provided in section 113 of this act, together with the fines collected from delinquent officers, non-commissioned officers, musicians and privates, shall constitute the military fund of such regiment, battalion or separate troop, battery or company of infantry.

§ 15. Section 183 of said act is hereby amended so as to read as follows:

§ 183. The commander-in-chief is empowered to prescribe such rules and regulations as he may deem necessary to secure a proper disposition of, and accountability for, the regimental, battalion and separate troop, battery or company funds. And no part of such funds shall be expended for any purpose whatever, unless under the express sanction and approval of the presidents of the auditing boards respectively, and so certified upon the abstract of accounts thereof. And on the approval of the commander-in-chief, accounts for clerk hire and other necessary expenses at head-quarters of divisions and brigades, when audited by the Adjutant-General, shall be paid from the general fund of the State appropriated for military purposes; provided, however, that the amount of such accounts in any one year shall not exceed the sum of \$1,000 for a division, and \$500 for a brigade.

§ 16. Section 184 of said act is hereby amended so as to read as follows:

§ 184. Courts of inquiry, to consist of one officer of at least equal grade with the officer or with the senior officer if there be more than one in relation to whom the court is instituted, may be ordered by the commander-in-chief, or by the commanding officer of a division in relation to those officers for whose trial they are authorized to appoint courts-martial, for the purpose of investigating the conduct of any officer or officers, either by his or their own solicitation or on a complaint or charge of improper conduct degrading to the character of an officer, or for the purpose of settling rank, or for investigating any facts made the subject of military complaint.

§ 17. Section 196 of said act is hereby amended so as to read as follows:

*Of courts for the trial of non-commissioned officers, musicians and privates.*

§ 196. For the trial of delinquent non-commissioned officers, musicians and privates, the commandant of each regiment or battalion may at any time appoint a regimental or battalion court-martial in his command, to consist of an officer in his command whose grade is not below that of captain; and in the case of a separate regiment, battalion, troop, battery or company attached to a division or brigade, the court shall be appointed by the commandant of the division or brigade to which such separate regiment, battalion, troop, battery or company is attached. For offenses on charges and specifications, the commandant of each brigade may at any time appoint a court-martial for the trial of non-commissioned officers, musicians and privates belonging to any regiment or battalion in his brigade, or to any separate troop, battery or company attached to the same, to consist of three officers in his brigade not below the grade of captain; in the case of a separate troop, battery or company attached to a division, the court shall be appointed by the commandant of the division to which such separate troop, battery or company is attached. No person shall be brought to trial on charges and specifications, unless the same shall have been approved by the officer ordering the court, and a copy thereof certified by said officer shall have been served upon the party charged at least five days before the trial of the party so charged, and the court may adjourn to permit of such service.

§ 18. Section 197 of said act is hereby amended so as to read as follows;

§ 197. The officers appointing said courts shall fix the time and place of convening the same, and the appointment of said courts shall be published in orders at least ten days previous to the convening thereof. When convened, the court may adjourn from time to time as shall become necessary for the transaction of business; but the whole session of a court composed of one officer, from the day on which it shall convene until its dissolution, shall not exceed three weeks; and in case any vacancy shall happen in the court, or a new court shall be required, the officer ordering the court, or his successor in command, may fill such vacancy or order a new court.

§ 19. Section 198 of said act is hereby amended so as to read as follows:

§ 198. The officers constituting such courts shall, before they enter

on their duties-as such, take the following oath: "I, , do swear (or affirm) that I will well and truly try and determine, according to evidence, all matters between the people of the State of New York and any person or persons who shall come before the court to which I have been appointed;" and such oath shall be taken by him before a judge of some court of record in this State, a justice of the peace in the county in which he resides, a field officer, or the commandant of the division or brigade to which he belongs, and it shall be the duty of such persons to administer the oath without fee or reward.

§ 20. Section 199 of said act is hereby amended so as to read as follows:

§ 199. The president of each of such courts shall direct a non-commissioned officer, or other fit person or persons, to be by him designated, to summon all delinquents and parties accused to appear before the court, at a time and place to be by him appointed, which service shall be personal, or by leaving such summons for such delinquents and parties accused, as provided in section 142 of this act.

§ 21. Section 201 of said act is hereby amended so as to read as follows:

§ 201. The court, consisting of one officer, when organized, shall have the trial of all [offenses] delinquencies and deficiencies that occur in the regiment [or] battalion, separate troop, battery or company for which it shall have been appointed, and the court, composed of three officers, when organized, shall have the trial of all offenses other than delinquencies and deficiencies, that occur in any regiment or battalion in the brigade for which it shall have been appointed, and also of all that occur in the separate troops, batteries or companies attached to the same brigade; and in case the court is ordered by the division commander, then of all offenses other than delinquencies and deficiencies that occur in the separate troops, batteries or companies attached to the division, and the said courts shall have power to impose and direct to be levied all the fines or penalties to which non-commissioned officers, musicians or privates are declared to be subject by the provisions of this act. But in case written charges shall have been preferred against any non-commissioned officer, musician or private in the regiment or battalion, separate troops or batteries or company, for the trial of offenders, in which the court shall have been ordered, said court shall not have jurisdiction thereof unless the same shall have been approved by the officer ordering the court, and a copy of such charges, certified by said officer, shall have been served upon the party charged, at least five days before the trial of the party so charged, and the court may adjourn to permit of such service.

§ 22. Section 203 of said act is hereby amended so as to read as follows:

§ 203. No compensation whatever shall be allowed to the officers constituting said courts for the trial of delinquencies.

1. There shall be allowed and paid out of the military fund of the regiment, battalion, separate troop, battery or company for which the court shall have been ordered, on the certificate of the president, to the president and members of such courts, composed of three officers, a sum equal to one day's pay for field duty for each day they may be actually employed in holding the court or engaged in the business thereof, or in traveling to and from the court, in accordance with the provisions of section 165 of this act, and their actual traveling ex-



penses; provided, that any and all allowances shall not exceed for each the field pay respectively for the period of three weeks, and to the non-commissioned officer or other person who shall have summoned offenders to appear before the court, two dollars for each day he may have been necessarily so employed, and the same sum for each day of his attendance on the court, the same to be paid in like manner with other military accounts; provided, however, that in the case of courts composed of one officer, for the trial of delinquencies and deficiencies, the same shall be paid out of the military fund of the regiment, battalion, separate troop, battery or company for which the court shall have been ordered.

2. Each officer, to whom a warrant for the collection of fines may be directed, shall be entitled to the same fees, and be subject to the same penalties for any neglect, as are allowed and provided for executions issued out of justices' courts.

3. For all other services and commitments under this act, the sheriff, jailer and constables executing the same shall be entitled to the like fees as for similar services in civil cases.

§ 23. Section 204 of said act is hereby amended so as to read as follows:

§ 204. All fines and penalties imposed by any court-martial convened in pursuance of the preceding section shall be paid, by the officer collecting the same, into the treasury of the county within which the regiment, battalion, separate troop, battery or company is located, within thirty days after the collection thereof, and shall belong to the military fund of the regiment, battalion, separate troop, battery or company of which the persons paying the fines and penalties are members; and the treasurer of such county shall thereupon report the amount thereof, designating the organization to which it belongs, to the Adjutant-General of the State.

§ 24. Section 207 of said act is hereby amended so as to read as follows:

§ 207. Every commissioned officer, and every non-commissioned officer, musician and private, shall, on due conviction, be subject, for the following offenses, to the fines and penalties thereto annexed.

1. Every commissioned officer, for non-attendance at any drill, parade or encampment, and every such officer, non-commissioned officer, musician or private, neglecting or refusing to obey the orders of his superior officer on any day of drill, parade or encampment, or to perform such military duty or exercise as may be required, or departing from his colors, post or guard, or leaving his place or ranks without permission, or making a false entry upon a muster-roll, or knowingly muster as a soldier a substitute or a person who is not a regularly enlisted soldier in and a member of his command, or making a false entry upon a score blank or return of rifle practice, or knowingly permit a substitute to shoot in the name of a member of his command, or refusing or neglecting to grant the discharge provided for in section 254 of this act, a fine of not more than one hundred, nor less than five dollars.

2. Every non-commissioned officer, musician and private, for non-appearance, when duly warned or summoned at a troop, battery or company parade, a fine of two dollars for each day; and in case of a troop parading mounted, a fine of six dollars for each day; at a regimental or battalion parade, drill or encampment, not less than one or

more than six dollars for each day; and at a place of rendezvous when called into actual service, in case of war, insurrection or invasion, or imminent danger thereof, a sum not exceeding twelve months' pay, nor less than one month's pay; and for disobedience of orders, or any conduct to the prejudice of good order and military discipline, whether by language or act, committed in uniform, or committed while going to or returning from, or while present at any lawful assembling of the regiment, battalion, separate company, troop, battery or band to which such non-commissioned officer, musician or private belongs, whether he be in uniform or not at the time of the commission of the offense, or for conduct on or off duty which shall tend to create insubordination amongst the members of the National Guard, a fine not exceeding fifty dollars; and also, in the discretion of the court, the offender shall be liable to expulsion from the command to which he belongs.

3. Every commissioned officer or non-commissioned officer or enlisted man for neglecting or refusing to obey any order or warrant to him lawfully given or directed, or to make a proper return thereof, if such return be necessary, or making a false return, or neglecting or refusing, when required, to summon a delinquent before a court-martial, or duly to return such summons, a fine of not more than one hundred, nor less than five dollars.

§ 25. Section 214 of said act is hereby amended so as to read as follows:

§ 214. For the purpose of collecting any fines or penalties imposed by any court-martial authorized by this act, the president of the court shall, within fifteen days after the expiration of the time in which an appeal is allowed as provided in section 202 of this act (fines or penalties having been approved), make a list of all the persons fined, describing them distinctly, and showing the sums imposed as fines or penalties on each person, and shall draw his warrant, under his official signature, directed to any marshal of the court, or to the sheriff or constable of any city or county (as the case may be), thereby commanding him to levy such fine or penalties, together with the costs, on the goods and chattels of such delinquents; and, in default of such sufficient goods and chattels to satisfy the same, then to take the body of such delinquent and convey him to the common jail of such city or county, whose jailer shall keep the said delinquent closely confined, without bail or mainprize, for two days, for any fine or penalty not exceeding two dollars, and two additional days for every dollar above that sum, unless the fine or penalty, together with the costs and the jailer's fees, be sooner paid; but no such imprisonment shall extend beyond the period of twenty days; provided, however, that the prisoner may be liberated at any time by order of the commandant of the brigade to which he belongs; and in case of a prisoner belonging to a separate troop, battery or company, attached to a division or brigade, then by order of the commandant of the division or brigade. No property shall be exempt from the payment of such fines or penalties.

§ 26. Section 235 of said act is hereby amended so as to read as follows:

§ 235. The chiefs of each division and brigade staff, and the adjutants of regiments or battalions, and the commandants of separate troops, batteries or companies, shall, on or before the fifteenth day of January in each year, return to the commandants of such division



and brigade, respectively, the names of all commissioned officers absent from any parade, encampment, drill or meeting for instruction during the preceding year. Within ten days after the receipt of such returns, the respective commandants of divisions or brigades, as the case may be, shall order court-martial for the trial of such officers for such delinquencies, which courts-martial shall consist of three officers, and be ordered, if for the trial of officers above the rank of captain, by the commandant of the division, and for the trial of all other officers, by the commandant of the brigade; provided, however, that the services of a judge advocate shall not be required at any court-martial appointed under the provisions of this section; and, also, further provided, that in all cases no member of the court shall be of less grade than the delinquent, and that for the trial of officers of any regiment, or separate troop, battery or company attached to a division, the court shall be ordered by the commandant of the division, and for the trial of officers of any separate troop, battery or company attached to a brigade, the court shall be ordered by the commandant of the brigade. It shall not be necessary to cause the arrest of such absentee, nor to serve any charges, unless, in the discretion of the officer ordering the court, it may be deemed proper; but the delinquent may be fined, pursuant to the provisions of this act, provided he shall have appeared before the court without objection, or notice of the return and of the time appointed for holding the court-martial shall have been delivered to him, or left at his dwelling-house or store.

§ 27. Section 253 of said act is hereby amended so as to read as follows:

§ 253. Every non-commissioned officer, musician and private or the National Guard originally enlisting, shall be held to duty therein for the term of five years; and in case of re-enlisting, for the term for which he re-enlists, unless disability after enlistment shall incapacitate him to perform such duty, and he shall be regularly discharged in consequence thereof by the commandant of his regiment, battalion, separate troop, battery or company; provided, however, that every such non-commissioned officer, musician and private shall continue held to duty, and shall retain his rank and be eligible to promotion, after the expiration of his term of enlistment or re-enlistment, so long as he or the commandant of his troop, battery or company omits to apply for his discharge, as provided in the next succeeding section; and on such application being made, his discharge shall not be granted until the expiration of three months from the date of the application, except when the application is made by the commandant of his troop, battery or company, in which case the discharge may be granted immediately; and also, further provided, that every non-commissioned officer, musician and private who enlisted prior to the first day of May, 1875, shall serve the whole length of the term for which he enlisted. Every commissioned officer, and every non-commissioned officer, musician and private of the National Guard shall be exempt from jury duty during the time he shall perform military service; and every such person who shall have so served five or more years, and been honorably discharged, shall forever after be exempt from jury duty. Except as herein otherwise provided, no non-commissioned officer, musician or private of the National Guard shall be discharged from service, except for physical disability or expiration of term of enlistment. Discharges for physical disability shall be granted only upon the cer-

tificate of the regimental or battalion surgeon, and in the case of a separate troop, battery or company, of the surgeon of the division or brigade to which such separate troop, battery or company is attached; always provided, however, that the commandant of each division may, for sufficient reasons, and in his discretion, discharge enlisted men in his division, at any time, upon the recommendation of the commandant of the troop, battery or company, with the approval of the commandant of the regiment or battalion and of the brigade to which they belong; and in the case of a separate troop, battery or company attached to a brigade, upon the recommendation of the commandant of such separate troop, battery or company, with the approval of the commandant of the brigade; and in the case of a regiment, separate troop, battery or company attached to a division, upon the recommendation of the commandant of such regiment, separate troop, battery or company; but no enlisted man shall be discharged from service unless he produces the certificate of his immediate commanding officer that he has turned over or satisfactorily accounted for all property issued to him. Commanding officers of divisions, brigades, regiments and battalions, and of separate troops, batteries or companies, shall make returns to the Adjutant-General, on the last days of March, June, September and December, in each year, of all changes in their commands during the previous three months, giving the names and grades of the persons discharged, and the cause thereof, and also of those gained by enlistment.

§ 28. Section 253 of said act is hereby amended so as to read as follows:

§ 263. For violations of the by-laws, rules and regulations provided in the last preceding section, the non-commissioned officer, musician or private offending may be expelled from the troop, battery or company to which he belongs, by the vote of a majority of all its members; and upon such action of the troop, battery or company being confirmed in orders by the commandant of the regiment or battalion; and, in case of a separate troop, battery or company, by the commandant of the brigade or division to which such separate troop, battery or company is attached, the names of such persons shall be stricken from the roll of such troop, battery or company, his certificate of membership shall be surrendered and canceled, and he shall cease to be a member of such troop, battery or company; and his time of service in said troop, battery or company shall not be allowed under the provisions of this act; or whenever a member of any troop, battery or company shall have moved beyond the bounds of the State, or having been absent without leave and having been returned to court-martial and fined by sentence thereof, and such sentence cannot be enforced for reason of inability to find such member, and such sentence having been promulgated at least three months, the commandant of the troop, battery or company shall report the names of such members and the causes therefor to the commandant of the regiment or battalion; or in case of separate troop, battery or company, to the commandant of the brigade or division to which it is attached. Upon the return of such report bearing the approval of the officer to whom it was made, the commandant of the troop, battery or company is authorized to drop such names from his company roll. Members so dropped may be taken up by the commandant of the troop, battery or company, by order of the commandant of the division, brigade, regiment

or battalion to which it is attached, upon evidence that such members have resumed their residence in the State, or have voluntarily returned to duty and paid all fines and penalties due, or have been arrested and the sentence of court martial enforced, and in such cases their names shall again be entered upon the rolls.

§ 29. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Howland	Sheridan
Andrews	Congdon	Husted	Sherman
Baker, B. F.	Cookinham	Lefever	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	McAvoy	Skinner
Beates	Deane	McCabe	Slingerland
Benedict, E. D.	Dougherty	Miller	Steele
Benedict, T. E.	Douglass	Mooers	Strait
Bennett	Duguid	Morgan	Tallmadge
Brennan	Ellis	Newman	Terpeny
Bridges	Evans	Nowlan	Thilemann
Brotsky	Ferris	Peck	Travis
Bullock	Fish	Pitcher	Treanor
Carpenter, I. S.	Fiske	Potter	Tuthill, H. H.
Case	Gillette	Potts	Tuttle, R. M.
Catlin	Gray	Root	Van Valkenburgh
Chamberlain	Griggs	Russell	Varnum
Chickering	Gwinup	Sanders	Waterbury
Childs	Havens	Seeley	Wells, J. L.
Clark	Hayes	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Union Plank Road Company," being announced for a third reading,

On motion of Mr. Sharpe, and by unanimous consent, said bill was amended in words following:

Section 1, add at end thereof as follows: "Provided, however, that such location shall not, at any time, be changed to run or be operated through Washington avenue, as hereinbefore provided, unless the consent in writing of the person representing a majority of the taxable property, which will hereafter be affected by such change, and fronting on said avenue, be first obtained and filed in the office of the clerk of the common council of said city."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Shuit
Andrews	Curtis	McAvoy	Sipp
Baker, B. F.	Deane	McCabe	Sisson
Baker, C. S.	Dougherty	Miller	Skinner
Beach	Douglass	Mooers	Slingerland
Beates	Duguid	Morgan	Steele
Benedict, E. D.	Ellis	Newman	Strait
Benedict, T. E.	Evans	Nowlan	Tallmadge
Bennett	Ferris	Parker	Terpeny
Brennan	Fish	Peck	Terry
Bridges	Fiske	Phillips	Thilemann
Brodsky	Gillette	Pitcher	Travis
Bullock	Gray	Potter	Treanor
Carpenter, I. S.	Griggs	Potts	Tuthill, H. H.
Case	Gwinup	Root	Tuttle, R. M.
Catlin	Hayes	Russell	Van Valkenburgh
Chamberlain	Howland	Sanders	Varnum
Chickering	Husted	Seeley	Waterbury
Childs	Lefever	Shanley	Wells, J. L.
Clark	Liddle	Sheridan	Wren
Congdon	Lindsay	Sherman	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gray offered for the consideration of the House a resolution in the words following:

*Resolved*, That the sub-committee of the whole be discharged from further consideration of Assembly bill No. 669, general orders No. 788, entitled "An act to regulate the dimensions and measurement of apple barrels," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Van Valkenburgh called from the table the report of the sub-committee in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 651, printed No. 567, entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 571, printed No. 501, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 679, printed No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute

a bond to the supervisor thereof," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 694, printed No. 606, entitled "An act to enable marine insurance companies to amend their charters," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 635, printed No. 556, entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," reported in favor of the passage of the same, with amendments as follows:

Section 10, line 3, change the word "surety" to "sureties."

Also add at the end of section 10 the following:

"And any person suffering such loss or damage may maintain an action in his own name against the parties executing such bond for his loss and damage aforesaid; until such bond shall have been executed, approved and filed as aforesaid, no person or persons shall float or run any lumber, logs or other timber upon or over any of said rivers or assist in so doing, and whoever shall violate this provision shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five thousand dollars, or imprisonment not to exceed six months, or by both such fine and imprisonment."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 185, printed No. 173, entitled "An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists,' " passed April 12, 1862, for the purpose of organizing a missionary board, and defining its powers and duties, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out the words "The act of incorporation" and insert "chapter 188 of the Laws of 1862."

Also amend the title so that it will read:

"An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists, and to organize a mission board and define its powers and duties.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 412, printed No. 378, entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' " passed June 20, 1879, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out the words "of said act" and insert "of chapter 534 of the Laws of 1879;" same line, after the word "amended" insert "so as to read."

Also to amend the title so that it will read:

"An act to amend chapter 544 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 387, printed No. 358, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof, by annexing the following sections," reported in favor of the passage of the same, with amendments as follows:

To insert at the beginning of section 1 as follows:



Section 1. Chapter 486 of the Laws of 1855, entitled "An act to amend the charter of the village of Horseheads, Chemung county, is hereby amended by adding the following sections to be known as sections 64, 65, 66, 67 and 68, and to read as follows, section 64."

Change section 2 to section 65, change section 3 to section 66.

Strike out all of section 4 and insert as section 67 the following:

"Nothing in this act shall affect in any way the disposition of any portion of said canal heretofore made according to law, or in any way interfere with or prevent a disposition and removal of the material of the locks and bridges of said canal as provided by chapter 404 of the Laws of 1877, and the acts amendatory thereof."

Change section "5" to section "68."

Also to amend the title so that it will read:

"An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof and to supplement new sections.'"

Mr. Alvord in the chair.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 458, not printed, entitled "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and allow him to file his official bond," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 212, entitled "An act to amend chapter 407 of the Laws of 1876, entitled 'An act extending the powers of the trustees of the village of Canandaigua,' " reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 505, printed No. 30, entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the Statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' " reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Sharpe moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 372, Laws of 1837, entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York,' " was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cullinan  
Curtis

Liddle  
McAvoy

Shuit  
Sipp

Baker, B. F.	Dougherty	McCabe	Skinner
Baker, C. S.	Douglass	Miller	Slingerland
Beach	Duguid	Mooers	Steele
Beates	Ellis	Morgan	Strait
Benedict, E. D.	Evans	Newman	Tallmadge
Benedict, T. E.	Ferris	Nowlan	Terpeny
Bennett	Fish	Parker	Terry
Bridges	Fiske	Peck	Thilemann
Brotsky	Gillette	Phillips	Travis
Bullock	Gray	Pitcher	Treanor
Carpenter, I. S.	Griggs	Potter	Tuthill, H. H.
Case	Gwinup	Potts	Tuttle, R. M.
Catlin	Hagan	Root	Van Valkenburgh
Childs	Hayes	Russell	Varnum
Clark	Howland	Sanders	Walsh
Olowes	Hurd	Seeley	Wells, J. L.
Congdon	Husted	Sheridan	Wren
Cookinham	Lefever	Sherman	Youngs

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Sipp
Andrews	Curtis	McCabe	Skinner
Baker, B. F.	Deane	Miller	Slingerland
Baker, C. S.	Dougherty	Mooers	Steele
Beach	Douglass	Morgan	Strait
Beates	Duguid	Newman	Tallmadge
Benedict, E. D.	Ellis	Nowlan	Terpeny
Benedict, T. E.	Evans	Parker	Terry
Bennett	Ferris	Peck	Thilemann
Brennan	Fish	Phillips	Travis
Bridges	Fiske	Pitcher	Treanor
Brotsky	Gillette	Potter	Tuthill, H. H.
Bullock	Gray	Potts	Tuttle, R. M.
Carpenter, I. S.	Griggs	Root	Van Valkenburgh
Case	Gwinup	Russell	Varnum
Catlin	Hagan	Sanders	Walsh
Chickering	Hayes	Seeley	Waterbury
Childs	Howland	Shanley	Wells, J. L.
Clark	Hurd	Sheridan	Wren
Clowes	Husted	Sherman	Youngs
Congdon	Lefever	Shuit	Mr. Speaker
Cookinham	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Senate in words following :

IN SENATE, *April 26, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads."

The vote upon the final passage of the said bill having been recon-



sidered, on motion of Mr. Madden, and by unanimous consent, the same was amended as follows:

Section 1, line 14, after the word "thereupon" insert "with the approval of the State Engineer and Surveyor."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 78 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sherman
Andrews	Deane	Low	Shuit
Baker, B. F.	Dougherty	McAvoy	Sipp
Baker, C. S.	Douglass	McCabe	Skinner
Beates	Duguid	Miller	Slingerland
Benedict, E. D.	Ellis	Mooers	Steele
Benedict, T. E.	Evans	Morgan	Strait
Brennan	Ferris	Newman	Tallmadge
Bridges	Fish	Nowlan	Terpeny
Brodsky	Fiske	Parker	Terry
Bullock	Gillette	Peck	Thilemann
Carpenter, I. S.	Gorsline	Phillips	Travis
Case	Gray	Potts	Tuthill, H. H.
Catlin	Griggs	Root	Tuttle, R. M.
Chickering	Gwinup	Russell	Van Valkenburgh
Clark	Hayes	Sanders	Varnum
Congdon	Howland	Seeley	Walsh
Cookinham	Hurd	Shanley	Wells, J. L.
Cullinan	Husted	Sheridan	Youngs
Curtis	Lefever		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

} AYES 78 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Shuit
Andrews	Dougherty	McCabe	Sipp
Baker, B. F.	Douglass	Miller	Skinner
Baker, C. S.	Duguid	Mooers	Slingerland
Beates	Ellis	Morgan	Strait
Benedict, E. D.	Evans	Newman	Tallmadge
Brennan	Ferris	Nowlan	Terpeny
Bridges	Fish	Parker	Terry
Brodsky	Fiske	Peck	Thilemann
Bullock	Gillette	Pitcher	Travis
Carpenter, I. S.	Gorsline	Potter	Tuthill, H. H.
Case	Gray	Potts	Tuttle, R. M.
Catlin	Griggs	Root	Van Valkenburgh
Chickering	Hayes	Russell	Varnum
Clark	Howland	Sanders	Walsh
Clowes	Hurd	Seeley	Waterbury

Congdon	Husted	Shanley	Wells, J. L.
Cookinham	Lefever	Sheridan	Wren
Cullinan	Liddle	Sherman	Youngs
Curtis	Low		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 216, entitled "An act to authorize and direct the commissioners of highways in the town of Kinderhook to protect and secure a certain highway in said town against encroachments of the Kinderhook creek," now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sherman
Andrews	Deane	McAvoy	Shuit
Baker, B. F.	Dougherty	McCabe	Sipp
Baker, C. S.	Douglass	Miller	Skinner
Beach	Duguid	Mooers	Slingerland
Beates	Ellis	Morgan	Steele
Benedict, E. D.	Evans	Newman	Strait
Benedict, T. E.	Ferris	Nowlan	Tallmadge
Brennan	Fish	Parker	Terpeny
Bridges	Fiske	Peck	Terry
Brodsky	Gillette	Phillips	Thilemann
Bullock	Gorsline	Pitcher	Travis
Carpenter, I. S.	Gray	Potter	Tuthill, H. H.
Case	Griggs	Potts	Tuttle, R. M.
Catlin	Gwinup	Root	Van Valkenburgh,
Childs	Hayes	Russell	Varnum
Clark	Howland	Sanders	Waterbury
Clowes	Hurd	Seeley	Wells, J. L.
Congdon	Husted	Shanley	Wren
Cookinham	Lefever	Sheridan	Youngs
Cullinan	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Hayes moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act relative to certain improvements in the city of New York," and said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Low offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 615, general orders No. 706, entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the Falls of Niagara," be referred to the committee of ways and means for amendment, with power to report at any time, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill, not printed, entitled "An act to extend the time for the collection of taxes in the county of Richmond," for amendment.

Also,

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill introductory No. 989, entitled "An act to extend the time for the collection of taxes in the town of Liberty, in Sullivan county, for amendment."

*Ordered*, That the Clerk return the above several resolutions to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bills:

"An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport."

"An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest."

"An act to establish the quorum of the local board of the Brockport Normal and Training School."

"An act to amend section 90 of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages.'"

"An act conferring additional powers upon the trustees of the village of LeRoy."

"An act in relation to assessments for taxes in the village of Ellen-ville."

"An act to provide for the compilation and revision of the Laws of the State of New York, affecting banks, banking and trust companies."

"An act for the preservation of fish in the waters of Loon lake, in the county of Steuben."

"An act to extend the time for the collection of taxes in the town of Cortland, in the county of Westchester."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto,'" with a message that the vote on the final passage of the within entitled bill was reconsidered and, as amended, passed.

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Van Valkenburgh, and at 10 o'clock, the House adjourned.

## TUESDAY MORNING, APRIL 27, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Graham, of Troy.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Gentz and to Hon. C. A. Orr.

Leave of absence was granted to Mr. Davis.

By unanimous consent,

Mr. Duell offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 745, general orders No. 899, entitled "An act for the relief of Babette Stemmler," and that it be sent to the sub-committee of the whole.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Alvord (introductory No. 1043), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 352, general orders No. 378, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cookinham introduced a bill entitled "An act to authorize the city of Utica to borrow money to pay certain debts therein," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cookinham, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Deane  
Dougherty

Lefever  
Liddle

Sherman  
Shuit

Baker, C. S.	Douglass	Low	Sipp
Beach	Duell	McAvoy	Sisson
Beates	Duguid	Miller	Skinner
Benedict, E. D.	Ellis	Nowlan	Steele
Benedict, T. E.	Evans	O'Brien	Strait
Bennett	Ferris	O'Connor	Tallmadge
Brennan	Fish	Parker	Terpeny
Bridges	Fiske	Peck	Terry
Bullock	Gibbs	Phillips	Titus
Case	Gorsline	Pitcher	Tormey
Chickering	Gray	Potts	Travis
Clark	Griggs	Rhodes	Tuthill, H. H.
Cohen	Havens	Roberts	Tuttle, R. M.
Comstock	Hoffman	Root	Warner
Congdon	Howland	Russell	Waterbury
Cookinham	Hurd	Sanders	Wells, J. L.
Crapser	Ingersoll	Seeley	Wren
Cullinan	Kennedy	Sheridan	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brennan introduced a bill entitled "An act for the relief of certain persons engaged in the practice of dentistry in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fiske introduced a bill entitled "An act in relation to rates of fare upon certain railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Tuthill introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village,' passed March 15, 1859, passed March 28, 1867,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord, on behalf of D. A. Wells, introduced a bill entitled "An act to establish a cemetery in the town of Long Lake, Hamilton county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Dougherty introduced a bill entitled "An act in relation to The Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dougherty, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Duell introduced a bill entitled "An act for the relief of Philip Hathaway," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Deane introduced a bill entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Bridge, by request, introduced a bill entitled "An act to provide uniform fees for sheriffs of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Catlin introduced a bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relates to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Catlin, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Comstock introduced a bill entitled "An act relative to foreign corporations and incorporated companies transacting business within the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That the time for which the stenographer to the special joint committee on assessment and taxation was employed be further extended twenty days.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the commissioners appointed to settle the disputed boundary lines with the State of Connecticut, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed, for the use of the Legislature, 3,000 copies of the report of the commissioners appointed to settle the disputed boundary lines with the State of Connecticut.



Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Survey, and Special Report on the Preservation of the Scenery of Niagara Falls, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed of the Fourth Report of the State Survey, and Special Report on the Preservation of the Scenery of Niagara Falls, 20 copies for each member, and 5 copies for each officer and reporter of the Legislature, and 1,000 copies for the Department of the State Survey, under the order of the Director of the State Survey.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 65 }  
{ NOES 34 }

Those who voted in the affirmative, were

Alvord	Dougherty	Low	Shuit
Andrews	Duell	McAvoy	Sipp
Ash	Duguid	Miller	Sisson
Baker, C. S.	Fiske	Mitchell	Steele
Beates	Gibbs	Mooers	Strait
Benedict, E. D.	Gorsline	Newman	Tallmadge
Bennett	Gray	Nowlan	Terry
Bradley	Griggs	O'Connor	Tormey
Bredsky	Hayes	Phillips	Tuttle, R. M.
Bullock	Hurd	Potts	Varnum
Carpenter, E. A.	Husted	Roberts	Waterbury
Carpenter, I. S.	Ingersoll	Russell	Wells, D. A.
Chickering	Kennedy	Seeley	Wells, J. L.
Comstock	Lefever	Shanley	Wren
Congdon	Liddle	Sheridan	Youngs
Cookinham	Lindsay	Sherman	Mr. Speaker
Deane			

Those who voted in the negative, were

Beach	Crapser	Havens	Root
Benedict, T. E.	Cullinan	Hoffman	Skinner
Brennan	Curtis	Howland	Slingerland
Bridges	Douglass	McCabe	Terpeny
Case	Ellis	McTernan	Titus
Chamberlain	Evans	Nowlan	Travis
Childs	Ferris	Parker	Tully
Clark	Fish	Peck	Warner
Cohen	Hagan		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the Annual Report of the Regents of the University, reported in favor of concurring in the adoption of the following resolution:

*Resolved* (if the Assembly concur), That there be printed, for the use of the Regents of the University, 1,000 extra copies of the Nine-



ty-third Annual Report of the said Regents, on fine paper and bound in cloth. All to be paid for according to the prices stipulated in the contract for extra copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 74 }  
{ NOES 15 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Shanley
Andrews	Cookinham	Liddle	Sheridan
Ash	Cullinan	Lindsay	Sherman
Baker, B. F.	Curtis	Low	Shuit
Baker, C. S.	Deane	McAvoy	Sisson
Beach	Dougherty	McCabe	Skinner
Beates	Douglass	McTernan	Slingerland
Bennett	Duell	Miller	Steele
Bradley	Duguid	Mitchell	Tallmadge
Brennan	Evans	Newman	Terry
Bridges	Fish	O'Brien	Tormey
Bredsky	Fiske	Phillips	Travis
Bullock	Gorsline	Potter	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potts	Tuttle, R. M.
Case	Hayes	Roberts	Waterbury
Chickering	Hoffman	Root	Wells, J. L.
Childs	Hurd	Russell	Wren
Clowes	Ingersoll	Seeley	Youngs
Comstock	Kennedy		

Those who voted in the negative, were

Benedict, E. D.	Crapser	Parker	Terpeny
Benedict, T. E.	Ellis	Peck	Tully
Clark	Ferris	Pitcher	Warner
Cohen	Mooers	Rhodes	

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Russell offered for the consideration of the House a resolution in words following :

*Resolved*, That Senate bill No. 50, entitled "An act to regulate elections in the city of Brooklyn," as amended by the Assembly committee on affairs of cities, be printed for the information of the House.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being Assembly bills entitled as follows :

"An act in relation to the taxation of savings banks and institutions for savings."

"An act to provide for the taxation of life insurance companies."

The House then resolved itself into committee of the whole on the bills entitled as follows:

"An act in relation to the taxation of savings banks and institutions for savings."

"An act to provide for taxation of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair,

and Mr. Low, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker presented the following communication :

Hon. GEO. H. SHARPE, *Speaker* :

DEAR SIR—I hereby resign my position as general messenger and superintendent of the wrapping department of the Assembly to take effect on Tuesday the 27th inst.

Respectfully, yours,

JOHN D. CHRISTIE.

The chair appointed as general messenger W. L. Lloyd, vice John D. Christie resigned.

Mr. Speaker presented a communication from the Superintendent of Insurance in response to a resolution of the Assembly adopted last evening; which was laid on the table and ordered printed.

(*See Doc. No. 127.*)

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1061), entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester, in such condition that it shall not be detrimental to the public health," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. B. F. Baker (introductory No. 796), entitled "An act to amend act chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water ways and to increase the facilities of navigation in the transportation of freight and passengers,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized."

"An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers."

"An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,'" and the acts amendatory thereof.

"An act to amend chapter 628 of the Laws of 1866, entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer.'"

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends.'"

"An act to incorporate the National Guard Mutual Relief Association of the State of New York."

"An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo."

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies.'"

"An act entitled 'An act to regulate the licensing of physicians and surgeons.'"

"An act for the appointment of game and fish protectors."

"An act to authorize Keeseville union free school district No. 1, of the towns of Ausable and Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor."

"An act establishing the compensation of the county judge and surrogate of the county of Rockland."

"An act to repeal chapter 443 of the Laws of 1868, entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island.'"

"An act to incorporate the State Charities Aid Association."

"An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor."

"An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein; for the construction of road from Blood's hotel, in Harrietstown, Franklin county, to Tupper's lake, in the county of Franklin."

"An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal, upon Genesee street in the city of Utica."

"An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York."

"An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded."

"An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company."

"An act in relation to the village of Potsdam."

"An act to extend the definition of the crime of perjury, and for other purposes."

"An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend the charter of the village of Saratoga Springs.'"

"An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies.'"

"An act in relation to the valuation of the property of the presi-

dent, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation."

"An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence."

"An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet."

"An act to amend chapter 50 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers.'"

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 27, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill entitled "An act to extend the time for the collection of taxes in the county of Richmond."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Deane	Kennedy	Shanley
Ash	Dougherty	Lefever	Sherman
Baker, B. F.	Douglass	Liddle	Shuit
Baker, C. S.	Duell	Low	Sipp
Beates	Duguid	McAvoy	Sisson
Bradley	Ellis	McCabe	Skinner
Brennan	Evans	Mead	Slingerland
Bridges	Ferris	Miller	Steele
Brodsky	Fish	Mitchell	Terpeny
Bullock	Fiske	Mooers	Terry
Carpenter, E. A.	Gibbs	Newman	Titus
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	Parker	Treanor
Catlin	Griggs	Peck	Tuttle, R. M.
Childs	Hagan	Phillips	Varnum
Clowes	Hayes	Potter	Walsh
Comstock	Hoffman	Potts	Wells, D. A.
Congdon	Howland	Root	Wells, J. L.
Cookinham	Hurd	Russell	Wren
Crapser	Husted	Sanders	Youngs
Cullinan			

On motion of Mr. Fiske, and by unanimous consent, said bill was amended in words following:

Section 1, line 7, after the word "supervisor" insert "of the several towns respectively."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Pitcher
Andrews	Crapser	Howland	Potter
Ash	Cullinan	Hurd	Potts
Baker, B. F.	Curtis	Ingersoll	Root
Baker, C. S.	Deane	Kennedy	Russell
Beates	Dougherty	Lefever	Seeley
Bridges	Douglass	Liddle	Shanley
Brodsky	Duell	Lindsay	Sherman
Bullock	Duguid	Low	Skinner
Carpenter, E. A.	Ellis	McAvoy	Slingerland
Carpenter, I. S.	Evans	McCabe	Terpeny
Case	Ferris	Mead	Terry
Catlin	Fish	Miller	Titus
Chamberlain	Fiske	Mitchell	Travis
Chase	Gibbs	Mooers	Tuttle, R. M.
Chickering	Gillette	Newman	Van Valkenburgh
Childs	Gorsline	Nowlan	Wells, J. L.
Clark	Gray	Parker	Wiley
Clowes	Griggs	Peck	Wren
Comstock	Hagan	Phillips	Youngs
Congdon	Hayes		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 202, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,' " for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

A message from the Senate was received in the words following:

IN SENATE, *April 23*, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause, and insert the following:

Section 1. Title 3 of chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages," is hereby amended by adding thereto an additional section to be numbered section 17, as follows:

§ 17. Whenever any person owning or occupying lands adjoining a highway, within the limits of any village incorporated under the provisions of this act, shall, with the consent of the trustees of such vil-

lage, or a majority of them, grade and flag or construct a stone sidewalk within such highway, along the line of such lands so owned or occupied by him, of the width of four or more feet, it shall be the duty of said trustees to examine the same when finished, and to credit such owner or occupant therefor so much on account of his assessment for the highway tax, in said village, as such trustees shall deem necessary to pay, not to exceed three-fourths of the actual and necessary expense of constructing such sidewalk, and to deliver to such owner or occupant their certificate of the amount of such credit; but such credit shall in no case be less than three dollars per lineal rod for the amount of said walk so constructed and finished. If said trustees find said walk, or walks, to be of less value than four dollars per lineal rod, then they are to give no credit whatever for the construction of the same.

The trustees of such village shall thereafter exempt the owner or occupant of such lands from all highway taxes in said village till the amount of such exemption shall be equal to the sum of the credit for which said certificate was allowed.

Section 2. This act shall take effect immediately.

Amend the title so as to read as follows :

“An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages.’ ”

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sheridan
Andrews	Deane	Lefever	Sherman
Baker, B. F.	Dougherty	Liddle	Shuit
Baker, C. S.	Douglass	Lindsay	Sipp
Beach	Duell	McAvoy	Sisson
Beates	Duguid	McCabe	Skinner
Bridges	Ellis	Mead	Slingerland
Bullock	Evans	Miller	Steele
Carpenter, E. A.	Ferris	Mitchell	Strait
Carpenter, I. S.	Fish	Mooers	Terpeny
Case	Fiske	Newman	Terry
Catlin	Gibbs	Nowlan	Thilemann
Chase	Gillette	O'Brien	Titus
Chickering	Gorsline	Parker	Travis
Childs	Gray	Peck	Tully
Clark	Griggs	Potts	Tuttle, R. M.
Clowes	Hayes	Rhodes	Van Valkenburgh
Comstock	Hoffman	Root	Walsh
Congdon	Howland	Russell	Wells, J. L.
Cookinham	Hurd	Sanders	Wren
Crapser	Husted	Seeley	Youngs
Cullinan	Ingersoll	Shanley	

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Hayes	O'Connor
Andrews	Cohen	Hoffman	Parker
Ash	Comstock	Howland	Phillips
Baker, B. F.	Congdon	Husted	Root
Baker, C. S.	Crapser	Ingersoll	Russell
Beach	Cullinan	Kennedy	Sanders
Beates	Curtis	Lefever	Seeley
Benedict, E. D.	Deane	Liddle	Sherman
Bradley	Dougherty	Low	Skinner
Brennan	Douglass	McAvoy	Steele
Bridges	Duell	McCabe	Terpeny
Bullock	Duguid	Mead	Terry
Carpenter, E. A.	Ellis	Miller	Titus
Carpenter, I. S.	Evans	Mitchell	Tully
Case	Ferris	Mooers	Tuttle, R. M.
Catlin	Fish	Morgan	Van Valkenburgh
Chamberlain	Gillette	Newman	Wells, J. L.
Childs	Gorsline	Nowlan	Wiley
Clancy	Gray	O'Brien	Wren
Clark	Griggs		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, for the return of Assembly bill No. 54, entitled "An act to incorporate the Public Exchange, passed April 22, 1868," for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to establish a Civil Code."

"An act to establish a Penal Code."

"An act to establish a Code of Criminal Procedure."

The hour of two having arrived, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act relative to the Farmers' Loan and Trust Company,'" passed April 30, 1875, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



By unanimous consent,

Mr. Gwinup introduced a bill entitled "An act to provide uniform fees for the sheriffs of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cookinham introduced a bill entitled "An act to amend section 4 of chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Indefinite leave of absence was granted to Mr. Morgan.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Benedict (introductory No. 1094), entitled "An act to amend an act authorizing the incorporation of rural cemeteries, passed April 27, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole. Mr. Curtis dissenting.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

Alvord	Crapser	Lefever	Sherman
Baker, C. S.	Cullinan	Lindsay	Shuit
Beach	Curtis	Low	Sipp
Beates	Deane	McAvoy	Sisson
Benedict, E. D.	Dougherty	McCarthy	Skinner
Bennett	Douglass	Mead	Slingerland
Bradley	Duell	Mitchell	Strait
Bridges	Evans	Mooers	Tallmadge
Brodsky	Ferris	Nowlan	Terry
Bullock	Fish	O'Brien	Titus
Carpenter, E. A.	Gillette	O'Connor	Travis
Catlin	Griggs	Parker	Treanor
Chamberlain	Gwinup	Peck	Tuthill, H. H.
Childs	Hagan	Phillips	Tuttle, R. M.
Clancy	Havens	Potts	Walsh
Clark	Hoffman	Rhodes	Waterbury
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Wren
Congdon	Kennedy	Shanley	Mr. Speaker.
Cookinham			

A quorum being present,

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to establish and maintain a police force in the city of Troy," being announced for a third reading,

Mr. Terry moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Rhodes moved to reconsider the vote by which said previous question was carried.

Mr. Terry withdrew the motion for the previous question.

Mr. Terry moved to have said bill laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Russell moved to lay said order of business on the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then stated the special order of the day, being Senate bill entitled "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates."

The House then resolved itself into a committee of the whole on the bill entitled as follows :

Senate, "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Comstock, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Russell moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 69 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Russell
Andrews	Congdon	Ingersoll	Seeley
Baker, C. S.	Cookinham	Kennedy	Sheridan
Beach	Crapser	Lefever	Shuit
Beates	Cullinan	Liddle	Sipp
Bradley	Curtis	Lindsay	Sisson
Brennan	Deane	Low	Skinner
Bridges	Douglass	Mitchell	Steele
Brodsky	Duell	Mooers	Terry
Bullock	Ferris	Morgan	Travis
Carpenter, E. A.	Ellis	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fiske	Peck	Tuttle, R. M.
Case	Gillette	Phillips	Varuum
Chamberlain	Gorsline	Pitcher	Waterbury
Chickering	Griggs	Potter	Wells, D. A.
Childs	Hayes	Potts	Wells, J. L.
Clark	Howland	Root	Wren
Clowes			

Those who voted in the negative, were

Benedict, T. E.	Gibbs	Mead	Tallmadge
Bennett	Hagan	Newman	Terpeny
Catlin	Havens	O'Connor	Thilemann
Clancy	Hoffman	Parker	Tormey
Cohen	McAvoy	Rhodes	Treanor
Cushing	McDonald	Shanley	Tully
Dougherty	McTernan	Strait	Walsh
Ellis			

Mr. Russell moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 77 }  
{ NOES 30 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Andrews	Crapser	Lefever	Sheridan
Baker, C. S.	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Shuit
Beates	Deane	Low	Sipp
Bradley	Douglass	Miller	Sisson
Brennan	Duell	Mitchell	Skinner
Bridges	Ferris	Mooers	Slingerland
Brodsky	Fish	Morgan	Steele
Bullock	Fiske	Nowlan	Terry
Carpenter, E. A.	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Chamberlain	Gray	Phillips	Tuttle, R. M.
Chase	Griggs	Pitcher	Varnum
Chickering	Hayes	Potter	Waterbury
Childs	Howland	Potts	Wells, D. A.
Clark	Hurd	Root	Wells, J. L.
Clowes	Husted	Russell	Wren
Comstock	Ingersoll	Sanders	Youngs
Congdon			

Those who voted in the negative, were

Benedict, E. D.	Ellis	McTernan	Strait
Benedict, T. E.	Gibbs	Mead	Terpeny
Bennett	Hagan	Newman	Thilemann
Catlin	Havens	O'Connor	Tormey
Clancy	Hoffman	Parker	Treanor
Cohen	McAvoy	Rhodes	Tully
Cushing	McCarthy	Shanley	Walsh
Dougherty	McDonald		

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Andrews	Crapser	Lefever	Sheridan
Baker, C. S.	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Shuit
Beates	Deane	Low	Sipp
Bradley	Douglass	McCabe	Sisson
Brennan	Duell	Miller	Skinner
Bridges	Ferris	Mitchell	Slingerland
Brodsky	Fish	Mooers	Steele
Bullock	Fiske	Morgan	Terry
Carpenter, E. A.	Gillette	Nowlan	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.

Case	Gray	Phillips	Tuttle, R. M.
Chamberlain	Griggs	Pitcher	Varnum
Chickering	Hayes	Potter	Waterbury
Clark	Howland	Potts	Wells, D. A.
Clowes	Hurd	Root	Wells, J. L.
• Comstock	Husted	Russell	Wren
Congdon	Ingersoll	Sanders	Youngs

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McCarthy	Strait
Benedict, T. E.	Ellis	McDonald	Terpeny
Bennett	Gibbs	McTernan	Thilemann
Catlin	Hagan	Mead	Tormey
Clancy	Havens	Newman	Treanor
Cohen	Hoffman	Rhodes	Tully
Cushing	McAvoy	Shanley	Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sherman offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That the vote by which Assembly bill No. 669, general orders No. 788, entitled "An act to regulate the dimensions and measurement of apple barrels," was ordered to a third reading be reconsidered and the same be recommitted to the committee of the whole.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was ordered to a third reading, and it was determined in the negative.

{ AYES 48 }  
{ NOES 55 }

Those who voted in the affirmative, were

Andrews	Congdon	Ingersoll	Potts
Ash	Cullinan	Kennedy	Root
Baker, B. F.	Curtis	Lefever	Russell
Beach	Ferris	Liddle	Seeley
Bradley	Fish	Low	Sherman
Brennan	Fiske	McCabe	Sisson
Bridges	Griggs	Miller	Slingerland
Bullock	Gwinup	Morgan	Strait
Carpenter, I. S.	Havens	O'Brien	Titus
Case	Hoffman	Parker	Travis
Childs	Howland	Phillips	Tuttle, R. M.
Clark	Hurd	Potter	Youngs

Those who voted in the negative, were

Alvord	Cushing	McTernan	Tallmadge
Baker, C. S.	Dougherty	Mead	Terpeny
Benedict, E. D.	Douglass	Mitchell	Terry
Benedict, T. E.	Ellis	Mooers	Thilemann
Bennett	Gibbs	Newman	Tormey
Brodsky	Gorsline	O'Connor	Treanor
Carpenter, E. A.	Gray	Peck	Tully

Catlin	Hagan	Pitcher	Van Valkenburgh
Chickering	Hayes	Rhodes	Varnum
Clancy	Husted	Sanders	Walsh
Clowes	Lindsay	Shanley	Waterbury
Cohen	McAvoy	Sheridan	Wells, J. L.
Cookinham	McCarthy	Shuit	Wren
Crapser	McDonald	Skinner	

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act in relation to the duties of supervisors for the town of Saratoga Springs."

*Ordered.* That the Clerk deliver said bill to the Governor.

Messrs. Deane and Treanor presented petitions asking for the enactment into laws of the bills recommended by the Hepburn Legislative committee; which were read and referred to the committee on railroads.

The hour of six having arrived, the House adjourned.

### WEDNESDAY MORNING, APRIL 28, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Thos. Bickford, of West Troy.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Wells offered for the consideration of the House a resolution in the words following:

*Resolved,* That the committee of the whole be discharged from the further consideration of Assembly bill No. 738, general orders No. 882, entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Cushing	Lindsay	Sipp
Andrews	Davis	Low	Sisson
Ash	Deane	McAvoy	Skinner
Beates	Douglass	McCabe	Strait
Benedict, E. D.	Duell	McTernan	Tallmadge
Benedict, T. E.	Ellis	Mead	Terpeny
Bradley	Evans	Miller	Terry
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Morgan	Tozier
Bullock	Fiske	Newman	Travis
Carpenter, E. A.	Gorsline	Parker	Treanor
Carpenter, I. S.	Gray	Peck	Tully
Chamberlain	Griggs	Phillips	Tuthill, H. H.
Chickering	Gwinup	Pitcher	Tuttle, R. M.
Childs	Havens	Potts	Waterbury
Comstock	Hoffman	Rhodes	Wells, D. A.
Congdon	Howland	Root	Wells, J. L.

Cookinham  
Crapser  
Cullinan  
Curtis

Hurd  
Ingersoll  
Kennedy  
Lefever

Russell  
Seeley  
Sheridan  
Shuit

Wren  
Youngs  
Mr. Speaker

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A quorum being present.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to establish and maintain a police force in the city of Troy," being announced for a third reading,

Mr. Rhodes moved to recommit said bill to the committee on cities with instructions to amend said bill in words following, and report forthwith:

Amend section 4 by adding at the end of line 18 "The mayor of the city of Troy shall be *ex officio* a member of said board of police commissioners."

Substitute for section 4 the following:

§ 4. There shall be nominated by the mayor, and confirmed by the common council, at the first regular meeting of said common council, after the passage of this act, four persons as police commissioners of the city of Troy; two to hold office for the term of two years, and two to hold office for the term of four years. And there shall be nominated by the mayor, and confirmed by the common council, every two years after the nomination and confirmation aforesaid two persons as police commissioners to fill the office of the two commissioners whose term of office shall expire, and thereafter the term of office of the said police commissioners shall be for four years. In case of vacancy in said board of police commissioners by death, resignation or removal from office, the same shall be filled in the same manner as aforesaid. No member of the common council shall eligible to the office of police commissioner.

Section 13, after the word "number" in line 4, insert "except by special direction of the common council."

Amend section 15, line 9, by striking out the words "eight hundred and fifty and insert "one thousand."

Amend section 40 by striking out all the balance of the section, commencing and including line 18 on pages 19 and 20.

After debate,

Mr. Terry moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Rhodes called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first member of the amendment, relating to the mayor of the city of Troy, as an *ex officio* member of said police board, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the second member of said amendment, and it was determined in the negative.

{ AYES 24 }  
{ NOES 67 }

Those who voted in the affirmative, were

Benedict, E. D  
Benedict, T. E.  
Catlin

Gibbs  
Gwinup  
Havens

Mead  
Newman  
O'Connor

Shanley  
Strait  
Terpeny

Clancy	Hoffman	Parker	Thilemann
Cushing	McAvoy	Rhodes	Treanor
Ellis	McTernan	Seeley	Tully

Those who voted in the negative, were

Ash	Congdon	Ingersoll	Sipp
Baker, B. F.	Cookinham	Kennedy	Sisson
Baker, C. S.	Crapser	Lefever	Skinner
Beates	Cullinan	Liddle	Slingerland
Bradley	Curtis	Lindsay	Steele
Brennan	Davis	Low	Terry
Bridges	Deane	Miller	Titus
Brodsky	Douglass	Mitchell	Tozier
Carpenter, E. A.	Duell	Mooers	Travis
Carpenter, I. S.	Duguid	Morgan	Tuthill, H. H.
Case	Evans	O'Brien	Van Valkenburgh
Chamberlain	Ferris	Peck	Varnum
Chase	Fish	Phillips	Warner
Chickering	Gorsline	Potts	Waterbury
Childs	Gray	Roberts	Wells, J. L.
Clowes	Griggs	Root	Wren
Comstock	Hurd	Russell	

Mr. Speaker put the question whether the House would agree to the third member of said amendment, in words following: "Section 15, line 9, strike out the words 'eight hundred and fifty' and insert 'one thousand,'" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the remainder of said amendment, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 22 }

Those who voted in the affirmative, were

Andrews	Cookinham	Ingersoll	Shuit
Ash	Crapser	Kennedy	Sipp
Baker, B. F.	Cullinan	Lefever	Sisson
Baker, C. S.	Curtis	Liddle	Skinner
Beach	Davis	Lindsay	Steele
Beates	Deane	Low	Tallmadge
Bradley	Douglass	McCabe	Terry
Brennan	Duell	Miller	Titus
Bridges	Duguid	Mitchell	Tozier
Brodsky	Evans	Mooers	Travis
Bullock	Ferris	Morgan	Tuthill, H. H.
Carpenter, E. A.	Fish	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Fiske	Peck	Varnum
Case	Gillette	Phillips	Warner
Chamberlain	Gorsline	Pitcher	Waterbury
Chase	Gray	Potter	Wells, D. A.
Chickering	Griggs	Potts	Wells, J. L.
Childs	Hayes	Root	Wren
Clowes	Howland	Russell	Youngs
Comstock	Hurd	Sherman	Mr. Speaker
Congdon	Husted		



Those who voted in the negative, were

Alvord	Cushing	McAvoy	Rhodes
Benedict, E. D.	Dougherty	McTernan	Seeley
Benedict, T. E.	Ellis	Mead	Shanley
Catlin	Gibbs	Newman	Terpeny
Clancy	Gwinup	Parker	Treanor
Cohen	Hoffman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Treanor offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 560, entitled "An act relative to certain improvements in the city of New York," be recommitted to the committee of the whole.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Treanor, and it was determined in the affirmative.

{ AYES 62 }  
{ NOES 33 }

Those who voted in the affirmative, were

Andrews	Ellis	McTernan	Skinner
Benedict, E. D.	Fish	Mead	Slingerland
Benedict, T. E.	Fiske	Miller	Steele
Bennett	Gibbs	Mitchell	Terpeny
Bradley	Gorsline	Newman	Thilemann
Case	Gray	O'Brien	Tozier
Catlin	Gwinup	O'Connor	Travis
Chamberlain	Hagan	Parker	Treanor
Chickering	Havens	Peck	Tully
Clancy	Hoffman	Phillips	Tuthill, H. H.
Cohen	Howland	Rhodes	Van Valkenburgh
Congdon	Kennedy	Sanders	Warner
Crapser	Liddle	Shanley	Waterbury
Cushing	McAvoy	Sheridan	Wren
Dougherty	McCarthy	Shuit	Youngs
Duell	McDonald		

Those who voted in the negative, were

Alvord	Chase	Hurd	Root
Baker, B. F.	Childs	Husted	Russell
Baker, C. S.	Clowes	Ingersoll	Seeley
Beach	Davis	McCabe	Sisson
Beates	Deane	Mooers	Terry
Brennan	Evans	Morgan	Tuttle, R. M.
Bullock	Ferris	Potter	Varnum
Carpenter, E. A.	Hayes	Potts	Wells, J. L.
Carpenter, I. S.			

Mr. Hayes moved to lay said order of business on the table, for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to establish a Civil Code," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 14 }

Those who voted in the affirmative, were

Andrews	Dougherty	McCabe	Sherman
Baker, C. S.	Douglass	McDonald	Sipp
Beach	Duell	McTernan	Sisson
Benedict, E. D.	Evans	Miller	Skinner
Bradley	Ferris	Mitchell	Steele
Brennan	Fish	Mooers	Terry
Brodsky	Gibbs	Morgan	Titus
Carpenter, I. S.	Gorsline	Newman	Tozier
Case	Gray	O'Brien	Travis
Catlin	Gwinup	O'Connor	Treanor
Chamberlain	Howland	Peck	Tully
Clancy	Hurd	Pitcher	Tuttle, R. M.
Clowes	Husted	Potts	Van Valkenburgh
Congdon	Ingersoll	Rhodes	Walsh
Cookinham	Kennedy	Root	Warner
Crapser	Lefever	Russell	Waterbury
Cullinan	Liddle	Sanders	Wells, J. L.
Curtis	Lindsay	Seeley	Wren
Davis	Low	Shanley	Youngs
Deane	McAvoy	Sheridan	

Those who voted in the negative, were

Alvord	Cohen	Hoffman	Shuit
Bridges	Ellis	Mead	Slingerland
Bullock	Hagan	Potter	Varnum
Carpenter, E. A.	Havens		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a Code of Criminal Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 6 }

Those who voted in the affirmative, were

Andrews	Davis	McCabe	Shuit
Baker, C. S.	Deane	Mead	Sipp
Beach	Douglass	Miller	Sisson
Benedict, E. D.	Duell	Mitchell	Skinner
Bradley	Evans	Mooers	Steele
Brennan	Ferris	Morgan	Tallmadge
Bridges	Fish	Newman	Terpeny
Brodsky	Fiske	Parker	Terry
Carpenter, I. S.	Gray	Peck	Titus
Case	Griggs	Phillips	Tozier
Chamberlain	Gwinup	Pitcher	Travis

Chase	Hayes	Potts	Tully
Chickering	Howland	Rhodes	Tuttle, R. M.
Clowes	Ingersoll	Root	Van Valkenburgh
Congdon	Kennedy	Russell	Warner
Cookinham	Lefever	Sanders	Waterbury
Crapser	Liddle	Seeley	Wells, J. L.
Cullinan	Lindsay	Shanley	Wren
Curtis	Low	Sherman	Youngs
Cushing			

Those who voted in the negative, were

Alvord	Cohen	Potter	Walsh
Carpenter, E. A.	Hoffman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a Penal Code," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }  
{ NOES 14 }

Those who voted in the affirmative, were

Andrews	Davis	McCabe	Sisson
Baker, C. S.	Dougherty	McCarthy	Skinner
Beach	Duell	Miller	Steele
Benedict, E. D.	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terpeny
Brennan	Fish	Morgan	Terry
Bridges	Gorsline	Peck	Titus
Brodsky	Gray	Phillips	Tozier
Carpenter, I. S.	Griggs	Pitcher	Travis
Case	Gwinup	Potts	Treanor
Chamberlain	Howland	Rhodes	Tully
Childs	Hurd	Root	Tuttle, R. M.
Clowes	Husted	Russell	Van Valkenburgh
Congdon	Ingersoll	Sanders	Warner
Cookinham	Kennedy	Seeley	Waterbury
Crapser	Lefever	Sheridan	Wells, J. L.
Cullinan	Liddle	Sherman	Youngs
Curtis	Low	Sipp	

Those who voted in the negative, were

Alvord	Ellis	O'Connor	Shuit
Carpenter, E. A.	Havens	Potter	Varnum
Chickering	Hoffman	Shanley	Walsh
Cohen	Mead		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
 { NOES 5 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sheridan
Andrews	Cushing	Lefever	Sherman
Baker, B. F.	Davis	Liddle	Sipp
Baker, C. S.	Deane	Low	Sisson
Beach	Dougherty	McCabe	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Benedict, T. E.	Duell	McDonald	Steele
Brennan	Ellis	Mead	Terpeny
Bridges	Ferris	Miller	Terry
Brodsky	Fish	Mooers	Titus
Carpenter, E. A.	Fiske	Morgan	Tozier
Carpenter, I. S.	Gillette	Newman	Travis
Case	Gorsline	O'Connor	Treanor
Catlin	Gray	Parker	Tully
Chase	Griggs	Peck	Tuttle, R. M.
Chickering	Gwinup	Phillips	Van Valkenburgh
Claney	Hagan	Potts	Walsh
Clowes	Havens	Rhodes	Waterbury
Cohen	Hayes	Root	Wells, D. A.
Congdon	Hoffman	Sanders	Wells, J. L.
Cookinham	Howland	Seeley	Wiley
Crapser	Husted	Shanley	Youngs
Cullinan	Ingersoll		

Those who voted in the negative, were

Bradley	Mitchell	Pitcher	Warner
Evans			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Andrews	Deane	Lindsay	Sheridan
Baker, B. F.	Dougherty	Low	Sherman
Baker, C. S.	Douglass	McCabe	Shuit
Beach	Duell	McCarthy	Sisson
Benedict, E. D.	Ellis	Mead	Skinner
Benedict, T. E.	Evans	Miller	Steele
Bennett	Ferris	Mitchell	Strait
Brennan	Fish	Mooers	Tallmadge
Bridges	Fiske	Morgan	Terpeny
Brodsky	Gillette	Newman	Terry
Carpenter, I. S.	Gorsline	O'Connor	Titus
Case	Gray	Parker	Tozier
Catlin	Griggs	Peck	Travis
Chamberlain	Gwinup	Phillips	Tully

Chase	Havens	Pitcher	Tuthill, H. H.
Chickering	Hayes	Potter	Tuttle, R. M.
Childs	Hoffman	Potts	Waterbury
Clowes	Howland	Rhodes	Wells, D. A.
Cohen	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Wiley
Cookinham	Ingersoll	Sanders	Wren
Cullinan	Kennedy	Seeley	Youngs
Cushing	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge, and Elizabeth King, wife of William King, the interest of the People of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Root
Andrews	Crapser	Kennedy	Sanders
Baker, B. F.	Cullinan	Lefever	Seeley
Baker, C. S.	Davis	Liddle	Shanley
Beach	Deane	Lindsay	Sheridan
Benedict, E. D.	Dougherty	Low	Sherman
Benedict, T. E.	Douglass	McCabe	Shurt
Bennett	Duell	McCarthy	Sisson
Bradley	Ellis	McDonald	Skinner
Brennan	Evans	Mead	Steele
Bridges	Ferris	Miller	Tallmadge
Brodsky	Fish	Mitchell	Terry
Bullock	Fiske	Mooers	Titus
Carpenter, E. A.	Gillette	Morgan	Tozier
Carpenter, I. S.	Gorsline	Newman	Travis
Case	Gray	O'Brien	Tully
Catlin	Griggs	O'Connor	Tuttle, R. M.
Chamberlain	Gwinup	Parker	Waterbury
Chase	Havens	Phillips	Wells, D. A.
Chickering	Hayes	Pitcher	Wells, J. L.
Childs	Hoffman	Potter	Wiley
Cohen	Howland	Potts	Wren
Comstock	Hurd	Rhodes	Youngs
Congdon	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Seeley
Andrews	Crapser	Kennedy	Shanley
Ash	Cullinan	Lefever	Sheridan
Baker, B. F.	Curtis	Liddle	Sherman
Baker, C. S.	Davis	Low	Shuit
Beach	Deane	McAvoy	Sisson
Benedict, E. D.	Dougherty	McCabe	• Skinner
Benedict, T. E.	Douglass	McCarthy	Slingerland
Bennett	Ellis	McDonald	Steele
Bradley	Evans	McTernan	Tallmadge
Brennan	Ferris	Mead	Terpeny
Bullock	Fish	Miller	Terry
Carpenter, E. A.	Fiske	Mooers	Titus
Carpenter, I. S.	Gillette	Morgan	Tozier
Case	Gorsline	Newman	Tully
Catlin	Gray	O'Connor	Tuthill, H. H.
Chamberlain	Griggs	Parker	Tuttle, R. M.
Chase	Gwinup	Phillips	Waterbury
Chickering	Havens	Pitcher	Wells, D. A.
Childs	Hayes	Potts	Wells, J. L.
Clowes	Hoffman	Rhodes	Wren
Cohen	Howland	Root	Youngs
Comstock	Husted	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sanders
Andrews	Crapser	Ingersoll	Seeley
Ash	Cullinan	Kennedy	Shanley
Baker, B. F.	Curtis	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Deane	Lindsay	Shuit
Benedict, E. D.	Dougherty	Low	Sipp
Benedict, T. E.	Douglass	McCabe	Sisson
Bennett	Duell	McCarthy	Skinner
Brennan	Ellis	McDonald	Steele
Bridges	Evans	McTernan	Tallmadge
Brodsky	Ferris	Miller	Terpeny
Bullock	Fish	Mooers	Terry
Carpenter, E. A.	Fiske	Morgan	Titus
Carpenter, I. S.	Gillette	Newman	Tozier
Case	Gorsline	O'Brien	Travis

Catlin	Gray	Parker	Tuttle, R. M.
Chamberlain	Griggs	Phillips	Waterbury
Chase	Gwinup	Pitcher	Wells, D. A.
Chickering	Havens	Potts	Wells, J. L.
Clowes	Hayes	Rhodes	Wiley
Cohen	Hoffman	Root	Wren
Cornstock	Howland	Russell	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 16 }  
{ NOES 58 }

Those who voted in the affirmative, were

Ash	Deane	McCarthy	Tozier
Beach	Ferris	O'Connor	Tully
Benedict, E. D.	Hagan	Shanley	Walsh
Clancy	Howland	Sheridan	Youngs

Those who voted in the negative, were

Alvord	Crapser	McCabe	Shuit
Andrews	Curtis	Miller	Sisson
Baker, B. F.	Cushing	Mitchell	Skinner
Baker, C. S.	Davis	Mooers	Steele
Benedict, T. E.	Ellis	Morgan	Terpeny
Bradley	Evans	O'Brien	Terry
Bridges	Fish	Parker	Titus
Brodsky	Gillette	Phillips	Tuthill, H. H.
Bullock	Gorsline	Potter	Tuttle, R. M.
Carpenter, E. A.	Gwinup	Rhodes	Varnum
Carpenter, I. S.	Havens	Root	Warner
Chickering	Hoffman	Russell	Waterbury
Childs	Kennedy	Seeley	Wells, J. L.
Cohen	Lefever	Sherman	Mr. Speaker
Cookinham	Low		

Mr. C. S. Baker moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid on the table and ordered printed.

(See Doc. No. 125.)

The bill entitled "An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river and to establish a ferry over said river,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.



{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Clowes	McCabe	Skinner
Andrews	Congdon	Miller	Slingerland
Ash	Curtis	Mitchell	Steele
Baker, B. F.	Cushing	Mooers	Strait
Baker, C. S.	Davis	Morgan	Tallmadge
Beach	Duell	O'Brien	Terpeny
Beates	Evans	O'Connor	Terry
Benedict, T. E.	Gorsline	Parker	Travis
Bradley	Gray	Phillips	Treanor
Brennan	Griggs	Pitcher	Tuthill, H. H.
Bridges	Gwinup	Potter	Tuttle, R. M.
Brodsky	Hagan	Potts	Van Valkenburgh
Bullock	Havens	Rhodes	Varnum
Carpenter, E. A.	Hoffman	Roberts	Walsh
Carpenter, I. S.	Howland	Root	Warner
Case	Husted	Russell	Waterbury
Catlin	Ingersoll	Seeley	Wells, J. L.
Chase	Kennedy	Sherman	Wiley
Chickering	Lefever	Shuit	Wren
Childs	Liddle	Sipp	Youngs
Clancy	Low	Sisson	

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend chapter 125 of the Laws of 1880, entitled 'An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter 14, section 4, of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Howland	Seeley
Andrews	Cookinham	Husted	Sheridan
Ash	Crapser	Ingersoll	Sherman
Baker, B. F.	Cullinan	Kennedy	Shuit
Baker, C. S.	Curtis	Lefever	Sipp
Beach	Cushing	Liddle	Sisson
Beates	Davis	McAvoy	Skinner
Benedict, E. D.	Dougherty	McCabe	Slingerland
Benedict, T. E.	Douglass	McDonald	Strait
Bradley	Duell	Mead	Tallmadge
Brennan	Duguid	Miller	Terry
Bridges	Ellis	Mitchell	Titus
Brodsky	Evans	Mooers	Travis

Bullock	Ferris	Nowlan	Treanor
Carpenter, E. A.	Fish	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gibbs	O'Connor	Tuttle, R. M.
Case	Gorsline	Parker	Van Valkenburgh
Catlin	Gray	Pitcher	Varnum
Chase	Griggs	Potter	Walsh
Chickering	Gwinup	Rhodes	Waterbury
Clowes	Hagan	Roberts	Wiley
Cohen	Hayes	Root	Wren
Comstock	Hoffman	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to uncollected taxes in the several towns and wards in this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Seeley
Andrews	Congdon	Husted	Sheridan
Ash	Cookinham	Ingersoll	Shuit
Baker, B. F.	Curtis	Kennedy	Sipp
Baker, C. S.	Cushing	Lefever	Sisson
Beach	Davis	Liddle	Skinner
Beates	Dougherty	McAvoy	Slingerland
Benedict, T. E.	Douglass	McCabe	Strait
Bennett	Duell	McDonald	Tallmadge
Brennan	Duguid	Miller	Terry
Bridges	Ellis	Mooers	Travis
Brodsky	Evans	Morgan	Treanor
Bullock	Ferris	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Fish	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Gorsline	O'Connor	Van Valkenburgh
Case	Gray	Parker	Varnum
Catlin	Griggs	Potter	Warner
Chase	Gwinup	Rhodes	Waterbury
Chickering	Hagan	Roberts	Wells, J. L.
Childs	Havens	Root	Wiley
Clark	Hayes	Russell	Wren
Clowes	Hoffman	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Kennedy	Seeley
Andrews	Congdon	Lefever	Sheridan

Ash	Cookinham	Liddle	Sherman
Baker, B. F.	Cullinan	McAvoy	Shuit
Baker, C. S.	Davis	McCabe	Sipp
Beach	Dougherty	Mead	Sisson
Beates	Douglass	Miller	Skinner
Benedict, E. D.	Duell	Mooers	Slingerland
Benedict, T. E.	Duguid	Morgan	Steele
Brennan	Ellis	Nowlan	Tallmadge
Bridges	Evans	O'Brien	Terpeny
Brodsky	Ferris	O'Connor	Terry
Bullock	Fish	Parker	Travis
Carpenter, E. A.	Gorsline	Phillips	Treanor
Carpenter, I. S.	Gray	Potter	Tuttle, R. M.
Case	Griggs	Potts	Van Valkenburgh
Catlin	Gwinup	Rhodes	Warner
Chase	Hayes	Roberts	Waterbury
Chickering	Hoffman	Root	Wiley
Clark	Howland	Russell	Wren
Clowes	Husted	Sanders	Youngs
Cohen	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the honorable discharge of certain members of the National Guard," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Kennedy	Sherman
Andrews	Congdon	Lefever	Shuit
Ash	Cookinham	Liddle	Sipp
Baker, B. F.	Cullinan	Lindsay	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Douglass	McCabe	Slingerland
Beates	Duell	McTernan	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Brennan	Ellis	Mooers	Terpeny
Bridges	Evans	O'Brien	Terry
Brodsky	Fish	O'Connor	Travis
Bullock	Fiske	Parker	Treanor
Carpenter, E. A.	Gibbs	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Potter	Tuttle, R. M.
Case	Gray	Potts	Walsh
Catlin	Griggs	Roberts	Warner
Chamberlain	Gwinup	Root	Waterbury
Chase	Hayes	Russell	Wells, J. L.
Chickering	Hoffman	Sanders	Wiley
Clark	Howland	Seeley	Wren
Clowes	Husted	Sheridan	Youngs
Cohen	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the equalization of taxes and assessments in the county of Chemung," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Sanders
Andrews	Congdon	Husted	Seeley
Ash	Cookinham	Ingersoll	Sherman
Baker, B. F.	Cullinan	Kennedy	Shuit
Baker, C. S.	Curtis	Lefever	Sipp
Beach	Cushing	Liddle	Sisson
Beates	Davis	McAvoy	Skinner
Benedict, E. D.	Dougherty	McCabe	Slingerland
Benedict, T. E.	Douglass	McCarthy	Steele
Bradley	Duell	Miller	Strait
Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terpeny
Brodsky	Evans	Morgan	Terry
Bullock	Ferris	Newman	Titus
Carpenter, E. A.	Fish	O'Brien	Travis
Carpenter, I. S.	Gibbs	O'Connor	Treanor
Case	Gillette	Parker	Tuthill, H. H.
Catlin	Gorsline	Pitcher	Varnum
Chamberlain	Gray	Potter	Warner
Chase	Griggs	Potts	Waterbury
Chickering	Gwinup	Rhodes	Wells, J. L.
Childs	Havens	Roberts	Wiley
Clark	Hayes	Root	Youngs
Cohen	Hoffman	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,'" being announced for a third reading,

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 26, page 2, after the word "order" insert the words "not less than three years."

Section 3, line 38, page 2, after the word "same," last word of the last line of the section, add the words "but before the said corporation shall be required to comply with said order, a certified copy of the same and of the said bond, and the approval thereof by the court or a justice thereof, shall be served on the secretary or treasurer of the said corporation."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sanders
Andrews	Cullinan	Liddle	Seeley
Ash	Davis	McAvoy	Sheridan

Baker, B. F.	Dougherty	McCabe	Sherman
Baker, C. S.	Douglass	McCarthy	Sipp
Beach	Duell	McDonald	Sisson
Beates	Duguid	McTernan	Skinner
Benedict, E. D.	Ellis	Mead	Slingerland
Benedict, T. E.	Evans	Miller	Steele
Bradley	Ferris	Mooers	Strait
Brennan	Fish	Newman	Tallmadge
Bridges	Gibbs	O'Brien	Terpeny
Brodsky	Gorsline	O'Connor	Terry
Bullock	Gray	Parker	Titus
Carpenter, I. S.	Griggs	Peck	Travis
Case	Gwinup	Phillips	Treanor
Catlin	Havens	Pitcher	Tuthill, H. H.
Chase	Hayes	Potter	Tuttle, R. M.
Chickering	Hoffman	Potts	Warner
Clark	Howland	Rhodes	Waterbury
Cohen	Hurd	Roberts	Wells, J. L.
Comstock	Ingersoll	Root	Wiley
Congdon	Kennedy	Russell	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Claney	Griggs	Peck
Andrews	Clark	Gwinup	Potter
Ash	Cohen	Hagan	Potts
Baker, C. S.	Comstock	Hayes	Rhodes
Beach	Congdon	Hoffman	Root
Beates	Cookinham	Howland	Russell
Benedict, E. D.	Cullinan	Hurd	Sheridan
Benedict, T. E.	Curtis	Ingersoll	Sipp
Bradley	Cushing	Lefever	Sisson
Brennan	Davis	Liddle	Skinner
Bridges	Douglass	Lindsay	Slingerland
Brodsky	Duell	McAvoy	Steele
Bullock	Duguid	McCabe	Strait
Carpenter, E. A.	Ellis	Miller	Terpeny
Carpenter, I. S.	Evans	Mitchell	Terry
Case	Fish	Mooers	Travis
Catlin	Fiske	Newman	Tuthill, H. H.
Chamberlain	Gibbs	O'Brien	Tuttle, R. M.
Chase	Gillette	O'Connor	Walsh
Chickering	Gray	Parker	Wiley

Those who voted in the negative, were

Baker, B. F.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for leasing wharf property

necessary for ferry purposes, along with the franchise of a ferry within the city of New York," being announced for a third reading,

On motion of Mr. Mitchell, and by unanimous consent, said bill was amended in words following:

After the word "lease," on line 3, section 1, insert "in the manner provided by law."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 63 }  
{ NOES 22 }

Those who voted in the affirmative, were

Baker, B. F.	Comstock	Havens	Skinner
Baker, C. S.	Congdon	Hoffman	Strait
Beates	Crapser	Ingersoll	Tallmadge
Benedict, E. D.	Cullinan	Lefever	Terpeny
Bennett	Curtis	Lindsay	Terry
Bradley	Cushing	McAvoy	Tormey
Bridges	Davis	McCarthy	Tozier
Brodsky	Dougherty	McTernan	Treanor
Bullock	Duguid	Mitchell	Tuthill, H. H.
Carpenter, I. <sup>a</sup>	Ellis	Mooers	Tuttle, R. M.
Case	Evans	Newman	Van Valkenburgh
Catlin	Ferris	O'Connor	Walsh
Chamberlain	Fish	Rhodes	Warner
Clark	Gibbs	Russell	Wiley
Clowes	Gorsline	Sherman	Youngs
Cohen	Hagan	Sisson	

Those who voted in the negative, were

Alvord	Cookinham	Miller	Root
Andrews	Douglass	O'Brien	Sanders
Benedict, T. E.	Gillette	Parker	Steele
Carpenter, E. A.	Gwinup	Phillips	Wells, D. A.
Chickering	Hayes	Potts	Wren
Childs	Howland		

Mr. Treanor moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sheridan
Andrews	Cushing	McAvoy	Sipp
Baker, B. F.	Davis	McCabe	Sisson
Baker, C. S.	Dougherty	McTernan	Slingerland
Beach	Douglass	Miller	Steele
Benedict, E. D.	Duell	Mitchell	Strait
Benedict, T. E.	Duguid	Mooers	Tallmadge
Brennan	Ellis	Morgan	Terpeny
Bridges	Evans	O'Brien	Terry

Brotsky	Ferris	O'Connor	Thilemann
Bullock	Fish	Parker	Titus
Chamberlain	Gibbs	Phillips	Travis
Chase	Gillette	Pitcher	Treanor
Chickering	Havens	Potter	Tuthill, H. H.
Childs	Hayes	Potts	Tuttle, R. M.
Clark	Hoffman	Rhodes	Van Valkenburgh
Cohen	Howland	Root	Warner
Comstock	Hurd	Russell	Wells, D. A.
Congdon	Ingersoll	Sanders	Wells, J. L.
Cookinham	Kennedy	Seeley	Wren
Crapser	Lefever	Shanley	Youngs
Cullinan	Liddle		

Mr. Hurd moved to recommit said bill to the committee on commerce and navigation, with instruction to amend the same in words following, and report forthwith :

Add at end of section 2: "Nothing in this act contained shall be held to apply to that portion of the East river which has been by law been exclusively set apart for the use of canal boats, engaged in the transportation of freights in the Hudson river coming to tide water from the canals of this State.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Cushing	McAvoy	Sipp
Beach	Davis	McCarthy	Sisson
Beates	Dougherty	Mead	Slingerland
Benedict, E. D.	Douglass	Miller	Steele
Benedict, T. E.	Duell	Mitchell	Strait
Bennett	Ellis	Mooers	Tallmadge
Brennan	Evans	Morgan	Terpeny
Bridges	Ferris	Newman	Terry
Brotsky	Fish	O'Brien	Titus
Bullock	Gibbs	Parker	Travis
Carpenter, E. A.	Gorsline	Phillips	Treanor
Carpenter, I. S.	Gray	Pitcher	Tuthill, H. H.
Case	Gwinup	Potter	Tuttle, R. M.
Catlin	Hayes	Potts	Van Valkenburgh
Chickering	Hoffman	Rhodes	Warner
Childs	Howland	Root	Waterbury
Clark	Hurd	Russell	Wells, D. A.
Cohen	Husted	Sanders	Wells, J. L.
Comstock	Ingersoll	Seeley	Wren
Cookinham	Kennedy	Shanley	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act establishing the salary of the deputy comptroller," was read a third time.

Mr. Speaker put the question whether the House would agree to



the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sanders
Andrews	Davis	Liddle	Seeley
Baker, B. F.	Deane	Low	Shanley
Baker, C. S.	Dougherty	McAvoy	Sheridan
Beates	Douglass	McCabe	Sherman
Benedict, E. D.	Duell	McCarthy	Shuit
Bennett	Duguid	McDonald	Steele
Bradley	Ferris	Mead	Tallmadge
Brennan	Fish	Miller	Terpeny
Brodsky	Gillette	Mitchell	Thilemann
Bullock	Gorsline	Mooers	Titus
Carpenter, I. S.	Gray	Morgan	Tormey
Catlin	Griggs	Newman	Travis
Chase	Havens	O'Brien	Tuthill, H. H.
Clancy	Hayes	Parker	Walsh
Clark	Howland	Pitcher	Waterbury
Clowes	Hurd	Potter	Wells, D. A.
Comstock	Husted	Rhodes	Wells, J. L.
Congdon	Ingersoll	Root	Wren
Cookinham	Kennedy	Russell	Youngs
Cullinan			

Those who voted in the negative, were

Benedict, T. E.	Crapser	Hoffman	Slingerland
Bridges	Curtis	McTernan	Terry
Chamberlain	Ellis	Peck	Tuttle, R. M.
Chickering	Evans	Sisson	Warner
Childs	Gibbs	Skinner	Wiley
Cohen	Gwinup		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Davis	McAvoy	Slingerland
Baker, B. F.	Deane	McCabe	Tallmadge
Baker, C. S.	Duell	McCarthy	Terpeny
Beach	Ferris	Mead	Terry
Beates	Fish	Mooers	Travis
Bradley	Fiske	Newman	Tormey
Brodsky	Gillette	Parker	Tozier
Bullock	Gorsline	Phillips	Travis

Case	Gray	Potts	Treanor
Chase	Hagan	Rhodes	Tuthill, H. H.
Chickering	Hayes	Roberts	Tuttle, R. M.
Clark	Howland	Russell	Van Valkenburgh
Clowes	Hurd	Sanders	Warner
Comstock	Ingersoll	Seeley	Waterbury
Congdon	Kennedy	Sherman	Wells, J. L.
Cookinham	Lefever	Shuit	Wiley
Cullinan	Liddle	Sisson	Youngs
Cushing	Low		

Those who voted in the negative, were

Benedict, E. D.	Childs	Hoffman	Mitchell
Brennan	Evans	Miller	Potter
Carpenter, E. A.	Havens		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to druggists, grocers or dealers in merchandise, who deal in intoxicating liquors, wines, ale or beer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 32 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Sanders
Andrews	Cookinham	Ingersoll	Seeley
Baker, B. F.	Crapser	Kennedy	Sherman
Beach	Cullinan	Lefever	Shuit
Beates	Curtis	Liddle	Sisson
Benedict, E. D.	Davis	Low	Skinner
Bradley	Douglass	McCabe	Steele
Brennan	Duguid	McDonald	Strait
Bridges	Ellis	McTernan	Tallmadge
Carpenter, E. A.	Evans	Miller	Terry
Carpenter, I. S.	Ferris	Mooers	Titus
Case	Fish	Morgan	Tormey
Catlin	Gorsline	Parker	Tozier
Chamberlain	Gray	Peck	Travis
Chase	Hayes	Phillips	Tuttle, R. M.
Chickering	Hoffman	Potts	Van Valkenburgh
Childs	Howland	Root	Warner
Clark	Hurd	Russell	Wiley
Clowes			

Those who voted in the negative, were

Benedict, T. E.	Dougherty	O'Connor	Terpeny
Bennett	Gibbs	Pitcher	Thilemann
Brotsky	Gwinup	Potter	Treanor
Bullock	Hagan	Rhodes	Tully
Clancy	McAvoy	Roberts	Walsh
Cohen	McCarthy	Shanley	Waterbury
Costello	Newman	Sheridan	Wells, J. L.
Cushing	O'Brien	Sipp	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," being announced for a third reading,

On motion of Mr. Kennedy, and by unanimous consent, said bill was amended in words following:

Section 1, line 2, after the word "authorized" add the words "and required;" same section, line 20, strike out the word "abandonment."

Section 2, line 2, after the word "authorized" insert the words "and required;" same section, line 20, strike out the word "abandonment."

Section 3, after the word "authorized" insert the words "and required;" same section, line 19, strike out the word "abandonment."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cohen	Kennedy	Sanders
Andrews	Comstock	Lefever	Seeley
Baker, B. F.	Congdon	Liddle	Shanley
Baker, C. S.	Crapser	Lindsay	Shuit
Beach	Cullinan	Low	Sisson
Beates	Curtis	McAvoy	Skinner
Benedict, E. D.	Davis	McCabe	Slingerland
Bennett	Dougherty	Mead	Steele
Bradley	Evans	Miller	Strait
Brennan	Ferris	Mitchell	Tahmadge
Bridges	Fish	Mooers	Terpeny
Brodsky	Fiske	Morgan	Terry
Bullock	Gillette	Newman	Titus
Carpenter, I. S.	Gorsline	O'Brien	Travis
Case	Gray	Peck	Tully
Catlin	Gwinup	Phillips	Tuthill, H. H.
Chamberlain	Hagan	Pitcher	Tuttle, R. M.
Chase	Hayes	Potter	Warner
Chickering	Hoffman	Potts	Waterbury
Childs	Howland	Roberts	Wells, D. A.
Clancy	Husted	Root	Wells, J. L.
Clark	Ingersoll	Russell	Youngs
Clowes			

Those who voted in the negative, were

Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill; and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Cohen	Ingersoll	Shuit
Andrews	Comstock	Kennedy	Sisson
Baker, B. F.	Cookinham	Lefever	Skinner
Baker, C. S.	Costello	Liddle	Slingerland
Beach	Crapser	Low	Steele
Beates	Curtis	McAvoy	Strait
Benedict, E. D.	Davis	McCabe	Terpeny
Benedict, T. E.	Deane	McCarthy	Terry
Bennett	Duell	Mead	Titus
Bradley	Ellis	Miller	Tozier
Brennan	Evans	Mooers	Travis
Bridges	Ferris	Morgan	Treanor
Brodsky	Fish	Newman	Tully
Bullock	Fiske	O'Brien	Tuthill, H. H.
Carpenter, E. A.	Gibbs	Phillips	Tuttle, R. M.
Carpenter, I. S.	Gillette	Potts	Walsh
Case	Gorsline	Russell	Warner
Catlin	Gray	Seeley	Waterbury
Chamberlain	Hagan	Shanley	Wells, J. L.
Chase	Hayes	Sheridan	Wren
Chickering	Howland	Sherman	Youngs
Clowes	Husted		

Those who voted in the negative, were

Childs	Hoffman	Pitcher	Roberts
Cullinan	Mitchell	Potter	Root
Gwinup			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the acts amending and extending the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord moved to lay said order of business on the table for the purpose of taking up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ingersoll introduced a bill entitled "An act to enable subordinate councils of the Royal Arcanum in the State of New York to take, hold and convey real and personal estate, and to exercise other powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Brodsky introduced a bill entitled "An act to authorize the dock department of the city of New York to construct a new pier for

the use of the police and fire departments of that city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act in relation to special proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up the order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 1109), entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace and to prevent violations thereof," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 1124), entitled "An act for the relief of Phillip Hathaway," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 318), entitled "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Low (introductory No. 1096), entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the village of Niagara Falls, in the town and county of Niagara, by the appointment of a police justice in said village," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict (introductory No. 1068), entitled "An act to prevent fraud in the practice of law," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Benedict said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 1131), entitled "An act to amend chapter 217 of the Laws of 1875, entitled - 'An act relative to the Farmers' Loan and Trust Company,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Mitchell said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 226), entitled "An act extending the jurisdiction of courts of special sessions, except in the city of Albany and in the city and county of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 208), entitled "An act to amend chapter 467 of the Laws of 1870, entitled 'An act in relation to the county courts,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 1121), entitled "An act for the relief of certain persons engaged in the practice of dentistry within this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Brennan said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 229), entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 240), entitled "An act to release to Mary E. Cockburn the interest of the people of the State of New York in certain real estate in Albany county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrews (introductory No. 1085), entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Andrews said bill was referred to the sub-committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1113), entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city as amended by chapter 14, Laws of 1880,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. C. S. Baker said bill was referred to the sub-committee of the whole.



Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 1099), entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in case of sudden sickness or accident during the night time," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sharpe (introductory No. 1112), entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 206), entitled "An act for the relief of Lawrence Collins," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. ——— (introductory No. 1120), entitled "An act in relation to rates of fare upon certain railroads," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Low (introductory No. 1103), entitled "An act for the relief of the town of Newfane, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Low said bill was referred to the sub-committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the Senate bill (introductory No. 292), entitled "An act to extend the time for the construction and completion of the Penn Yan and New York railway," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Skinner said bill was referred to the sub-committee of the whole.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That 750 extra copies of the report of the committee on affairs of cities upon street cleaning, be printed with paper covers under the direction of the Clerk of the Assembly, at the price specified in the contract for extra copies: such copies to be distributed pro rata among the members of the Assembly.

*Ordered*, That said resolution be referred to the committee on public printing.



Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Youngs (introductory No. 1100), entitled "An act authorizing the appointment of special policemen for Long Beach, in the town of Hempstead, Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Thilemann (introductory No. 1052), entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East 42nd street, in the city of New York," reported for the consideration of the House.

On motion of Mr. McAvoy said bill was referred to the sub-committee of the whole.

Mr. Braman, from the committee on militia, to which was referred the Senate bill (introductory No. 265), entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell moved to refer said bill to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ingersoll, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Alvord (introductory No. 627), entitled "An act to authorize a treaty with the Onondaga Indians," reported in favor of the passage of a substitute, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the Senate bill (introductory No. 379), entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the Senate bill (introductory No. 251), entitled "An act to amend chapter 534 of the Laws 1879, entitled 'An act for the further preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Chickering said bill was referred to the sub-committee of the whole.

The hour of two having arrived the House took a recess until 4 P. M.

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#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord  
Andrews

Curtis  
Cushing

Ingersoll  
Kennedy

Sipp  
Sisson

Baker, C. S.	Davis	Lefever	Skinner
Beach	Deane	Liddle	Slingerland
Benedict, E. D.	Dougherty	Low	Strait
Benedict, T. E.	Douglass	McAvoy	Terpeny
Bradley	Duell	McCabe	Titus
Bridges	Duguid	Mead	Tozier
Brodsky	Ellis	Mitchell	Travis
Bullock	Evans	Mooers	Treanor
Catlin	Ferris	Morgan	Tully
Chickering	Fish	Newman •	Tuthill, H. H.
Childs	Gibbs	O'Brien	Tuttle, R. M.
Clark	Gillette	O'Connor	Walsh
Cohen	Gwinup	Pitcher	Warner
Congdon	Hagan	Potts	Waterbury
Costello	Hoffman	Root	Wells, D. A.
Crapser	Howland	Russell	Wren
Cullinan	Hurd	Sherman	Mr. Speaker 76

A quorum being present.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business general orders, to take into consideration Senate bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company;" also Assembly bill entitled "An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866.'"

The House resolved itself into committee of the whole on the bills entitled as follows:

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866.'"

Senate bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Titus, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Roberts
Andrews	Costello	Husted	Root

Baker, O. S.	Cullinan	Ingersoll	Russell
Beach	Curtis	Kennedy	Seeley
Beates	Davis	Lefever	Sherman
Benedict, E. D.	Deane	Liddle	Shuit
Benedict, T. E.	Douglass	Lindsay	Sipp
Bradley	Duell	Low	Sisson
Bridges	Duguid	McAvoy	Strait
Brodsky	Ellis	McCabe	Terry
Bullock	Evans	McCarthy	Tozier
Carpenter, E. A.	Ferris	Mead	Travis
Carpenter, I. S.	Fish	Miller	Tully
Catlin	Gillette	Mitchell	Tuttle, R. M.
Chamberlain	Gray	Mooers	Warner
Chase	Griggs	Morgan	Waterbury
Chickering	Gwinup	Newman	Wells, D. A.
Childs	Hayes	O'Brien	Wren
Clark	Hoffman	Pitcher	Youngs
Comstock	Howland	Potts	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 674 of the Laws of 1870, entitled "An act to amend and consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater, passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation and the acts amendatory thereof and supplemental thereto.'"

"An act to incorporate Alert Hose Company No. 3, of Medina, New York."

"An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 18 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

"An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society.'"

"An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris.'"

"An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations."

"An act to legalize the official acts of Daniel T. Cornell as notary public."

"An act to facilitate the removal of stable manure from the built-up portions of the city of New York."

"An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York."

"An act to revise, amend and consolidate the several acts in relation to the incorporation of the village of New Brighton."

"An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo."

"An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City.'"

"An act to amend section 1 of chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed.'"

"An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to provide for the review and correction of illegal, erroneous or unequal assessments."

"An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board."

"An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers.'"

"An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges."

"An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Milford, in the county of Otsego."

"An act for the relief of Wm. H. Carver."

"An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act in relation to 'The Ladies Union Aid Society of the Methodist Episcopal Church in the city of New York.'"

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

"An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to revise chapter 625 of the Laws of 1875,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Deane	Low	Sipp
Baker, C. S.	Douglass	McCabe	Sisson

Beach	Duell	Mead	Skinner
Beates	Duguid	Miller	Slingerland
Benedict, T. E.	Ellis	Mitchell	Strait
Bennett	Evans	Mooers	Terpeny
Bradley	Ferris	Morgan	Terry
Bridges	Fish	Newman	Thilemann
Brotsky	Gillette	O'Brien	Titus
Bullock	Gorsline	O'Connor	Tozier
Carpenter, E. A.	Gray	Parker	Travis
Carpenter, I. S.	Griggs	Phillips	Tully
Case	Hayes	Pitcher	Tuthill, H. H.
Catlin	Hoffman	Potter	Tuttle, R. M.
Chamberlain	Howland	Potts	Warner
Clark	Hurd	Roberts	Waterbury
Cohen	Husted	Root	Wells, D. A.
Congdon	Ingersoll	Russell	Wells, J. L.
Costello	Kennedy	Shanley	Youngs
Cullinan	Lefever		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to exempt certain corporations from the provisions of section 8, title 4, chapter 18, part 1 of the Revised Statutes, entitled 'special provisions relating to certain corporations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Chickering	Hurd	Root
Andrews	Childs	Ingersoll	Shuit
Baker, B. F.	Clark	Kennedy	Sipp
Baker, C. S.	Congdon	Low	Sisson
Beach	Costello	McAvoy	Skinner
Beates	Cullinan	McCabe	Slingerland
Benedict, E. D.	Curtis	Mead	Strait
Benedict, T. E.	Cushing	Miller	Tallmadge
Bradley	Davis	Mitchell	Terpeny
Brennan	Dougherty	Mooers	Terry
Bridges	Douglass	Morgan	Titus
Brotsky	Duguid	O'Brien	Travis
Bullock	Fish	Phillips	Walsh
Carpenter, E. A.	Gillette	Pitcher	Waterbury
Carpenter, I. S.	Gorsline	Potter	Wells, D. A.
Catlin	Gray	Potts	Wells, J. L.
Chamberlain	Hayes	Roberts	Wren
Chase			

Those who voted in the negative, were

Case	Gibbs	Liddle	Shanley
Crapser	Griggs	McDonald	Sherman
Deane	Gwinup	McTernan	Tormey
Duell	Hagan	Newman	Tully
Ellis	Havens	O'Connor	Tuthill, H. H.
Evans	Hoffman	Parker	Warner
Ferris	Lefever	Russell	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the transportation of freight by railroad corporations," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on railroads, with instructions to amend said bill in words following, and report forthwith:

Strike out sections 1 and 2 and substitute in place thereof the following:

Section 1. Rates for freight, to be charged by railroad corporations, shall in every instance be reasonable; and no discrimination in rates shall be made by any railroad corporation in favor of or against any shipper of freight for similar services rendered in this State, at the same time under like circumstances.

Mr. Alvord moved to further instruct said committee in words following:

Section 5, line 5, printed bill, after the word "which" insert "knowingly."

Debate arising,

Mr. Duguid moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the amendment offered by Mr. Mitchell, and it was determined in the negative.

{ AYES 34 }  
{ NOES 77 }

Those who voted in the affirmative, were

Alvord	Clowes	Husted	Russell
Andrews	Fiske	Lefever	Strait
Ash	Gillette	McDonald	Tallmadge
Baker, B. F.	Gorsline	Miller	Thilemann
Benedict, E. D.	Gray	Mitchell	Travis
Brodsky	Griggs	Morgan	Warner
Carpenter, E. A.	Hagan	Pitcher	Wells, D. A.
Catlin	Hayes	Potter	Youngs
Chase	Hoffman		

Those who voted in the negative, were

Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Cushing	Low	Sipp
Beates	Davis	McAvoy	Sisson
Benedict, T. E.	Deane	McCabe	Skinner
Bradley	Dougherty	McTernan	Slingerland
Brennan	Duell	Mead	Steele
Bridges	Duguid	Mooers	Terpeny
Bullock	Ellis	Newman	Terry
Carpenter, I. S.	Evans	O'Brien	Titus
Case	Ferris	Parker	Tormey
Chamberlain	Fish	Peck	Tozier
Chickering	Gibbs	Phillips	Treanor
Childs	Gwinup	Potts	Tully
Olancy	Havens	Rhodes	Tuthill, H. H.
Clark	Howland	Roberts	Tuttle, R. M.
Cohen	Hurd	Root	Walsh
Congdon	Ingersoll	Shanley	Waterbury

Costello  
Crapser  
Cullinan

Kennedy  
Liddle

Sheridan  
Sherman

Wells, J. L.  
Wren

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, reported back said bill, amended as the House instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 32 }

Those who voted in the affirmative, were

Baker, C. S.	Davis	Lindsay	Sheridan
Beach	Deane	Low	Sherman
Beates	Dougherty	McAvoy	Shuit
Benedict, T. E.	Duell	McCabe	Sisson
Bradley	Duguid	McCarthy	Skinner
Brennan	Ellis	McDonald	Slingerland
Bridges	Evans	McTernan	Steele
Brodsky	Ferris	Mead	Terpeny
Bullock	Fish	Miller	Terry
Carpenter, I. S.	Gibbs	Moqers	Titus
Case	Griggs	Newman	Tormey
Chamberlain	Gwinup	O'Brien	Tozier
Chickering	Hagan	Parker	Treanor
Clancy	Havens	Peck	Tully
Clark	Hoffman	Phillips	Tuthill, H. H.
Cohen	Howland	Potts	Tuttle, R. M.
Congdon	Hurd	Rhodes	Walsh
Costello	Ingersoll	Roberts	Waterbury
Crapser	Kennedy	Root	Wells, J. L.
Curtis	Liddle	Shanley	Wren
Cushing			

Those who voted in the negative, were

Alvord	Childs	Hayes	Sipp
Andrews	Clowes	Husted	Stralt
Ash	Cookinham	Lefever	Tallmadge
Baker, B. F.	Cullinan	Mitchell	Thilemann
Benedict, E. D.	Fiske	Morgan	Travis
Carpenter, E. A.	Gillette	Pitcher	Warner
Catlin	Gorsline	Potter	Wells, D. A.
Chase	Gray	Russell	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Davis was called, he stated that he was paired with Mr. Seeley.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the adjustment and settlement of claims of



interest, on payments made by the mayor, aldermen and commonalty of the city of New York, on certain contracts for works of local improvements in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read, in words following:

IN SENATE, *April 23, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Fowler, and by unanimous consent, the same was amended as follows:

Section 1, lines 8 and 9, engrossed bill, strike out "or by special charter;" same section, subdivision 7, line 9, after "and" insert "if originally organized or incorporated under any general law of this State."

Add as section 2, the following:

Section 2. "The provisions of this act shall apply to and include any corporation which might, under the terms of this act, come under and avail itself of the said act hereby amended, and which shall have heretofore taken proceedings, and filed papers as required by said last-mentioned act, for the purpose of coming under the same and availing itself of the provisions thereof."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Chickering	Fiske	Mitchell
Andrews	Clark	Gorsline	Mooers
Ash	Clowes	Gray	Morgan
Baker, B. F.	Cohen	Griggs	Phillips
Baker, C. S.	Congdon	Gwinup	Potts
Beach	Cookinham	Havens	Root
Beates	Crapser	Hayes	Sherman
Benedict, E. D.	Curtis	Hoffman	Slingerland
Bradley	Davis	Howland	Steele
Brennan	Deane	Hurd	Strait
Bridges	Douglass	Husted	Terry
Brodsky	Duell	Ingersoll	Titus
Bullock	Duguid	Kennedy	Tuthill, H. H.
Carpenter, E. A.	Ellis	Lefever	Tuttle, R. M.
Carpenter, I. S.	Evans	McCabe	Waterbury
Case	Ferris	McCarthy	Wells, D. A.
Catlin	Fish	Mead	Wells, J. L.
Chase			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Sipp
Andrews	Congdon	Husted	Sisson
Ash	Cookinham	Ingersoll	Skinner
Baker, B. F.	Crapser	Kennedy	Slingerland
Baker, C. S.	Cullinan	Lefever	Steele
Beach	Curtis	Liddle	Strait
Beates	Cushing	Lindsay	Tallmadge
Bradley	Davis	McCabe	Terpeny
Brennan	Deane	Mead	Terry
Bridges	Douglass	Miller	Thilemann
Brodsky	Duell	Mitchell	Titus
Bullock	Duguid	Moors	Tozier
Carpenter, E. A.	Evans	Phillips	Travis
Carpenter, I. S.	Ferris	Pitcher	Treanor
Case	Fish	Potts	Tully
Catlin	Fiske	Rhodes	Tuttle, R. M.
Chase	Gorsline	Root	Walsh
Chickering	Griggs	Russell	Waterbury
Clancy	Havens	Shanley	Wells, D. A.
Clark	Hoffman	Sherman	Wells, J. L.
Clowes	Howland	Shuit	Youngs

Those who voted in the negative, were.

Gwinup

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Duguid offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 73, entitled "An act for the better protection of the traveling public," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 752, entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," and said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Root offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 741, entitled "An act to amend an act to prevent animals from running at large in the public highways," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O'Brien offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 706, general orders No. 834, entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding five per centum per annum, to the extent of one million dollars, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water-works tunnel, as the common council and mayor of said city of Buffalo may direct," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Shanley, and at 5 o'clock and 45 minutes the House adjourned.

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#### THURSDAY MORNING, APRIL 29, 1880.

The House met pursuant to adjournment.

Prayer by Rev. H. Trumpp.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 614, entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester," and that the same be ordered engrossed for a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 682, general orders No. 805, entitled "An act to authorize aliens to purchase, hold and dispose of real estate," be considered in the first committee of the whole not full.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 705, general orders No. 833, introduced by Mr. Gwinup, entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Douglass offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 281, entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city, issued in payment for said stock," and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 385, general orders No. 420, entitled "An act to amend an act entitled 'An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain recreative purposes,'" passed March 14, 1876; also, Assembly bill No. 692, general orders No. 815, entitled "An act to provide for the compensation of the county judge and surrogate of the county of Oneida," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 122, general orders No. 515, entitled "An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon; and to pay counsel and witnesses employed and subpoenaed in behalf of the State," be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 723, entitled "An act to authorize summary proceedings by mandamus against common carriers," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Whereas*, It is alleged that grave abuses exist in the harbor-masters' office in the port of New York, whereby extortionate fees are charged to market vessels seeking wharfrage; therefore, be it

*Resolved*, That the committee on commerce and navigation be instructed to inquire into said abuses, and to report to this House, within ten days, such measures as will tend to remedy the same.

Said resolution giving rise to debate,

*Ordered*, That the same be laid upon the table.

Mr. Catlin moved that Assembly bill entitled "An act to amend the charter of the village of New Rochelle," be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Cookinham	Liddle	Skinner
Andrews	Crapser	Low	Steele
Beach	Cullinan	McCabe	Tallmadge
Beates	Curtis	Miller	Terry
Benedict, E. D.	Davis	Mitchell	Thilemann
Benedict, T. E.	Douglass	Mooers	Titus
Bradley	Duell	Newman	Tormey
Brennan	Ellis	Nowlan	Tozier
Bridges	Ferris	O'Brien	Travis
Brodsky	Fish	Parker	Treanor
Bullock	Fiske	Pitcher	Tully
Carpenter, E. A.	Gibbs	Potter	Tuttle, R. M.
Carpenter, I. S.	Gwinup	Potts	Warner
Case	Hagan	Rhodes	Waterbury
Catlin	Havens	Roberts	Wells, D. A.
Chamberlain	Howland	Root	Wells, J. L.
Chickering	Hurd	Russell	Wren
Clark	Ingersoll	Sherman	Youngs
Cohen	Kennedy	Shuit	Mr. Speaker
Congdon	Lefever	Sipp	

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A quorum being present,

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

Mr. Steele moved to lay said order of business on the table for the purpose of taking up the special orders of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced the special order of the day being the bill entitled "An act to amend chapter 13 of part one of the Revised Statutes." Also, "An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments."

Senate, "An act to amend chapter 13 of part 1 of the Revised Statutes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Low, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to and the same ordered to a third reading.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 582, entitled "An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments," be recommitted to the joint committee with instructions to insert a section defining the words "personal property," "moneys" and "credits." Also, to amend the bills presented, so that only the excess of resources over liabilities shall be assessed for purposes of taxation, retaining its place on order of third reading.

Mr. Curtis called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first member of said amendment, in words following: "personal property," "moneys" and "credits," and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the second member of said amendment in words following: "So that only the excess of resources over liabilities shall be assessed for purposes of taxation," and it was determined in the affirmative.

{ AYES 57 }  
{ NOES 44 }

Those who voted in the affirmative, were

Andrews	Costello	Lefever	Skinner
Baker, B. F.	Cushing	Liddle	Tallmadge
Baker, C. S.	Dougherty	McAvoy	Terry
Benedict, E. D.	Duguid	McCabe	Tormey
Bennett	Ellis	Mead	Tozier
Brennan	Fitzgerald	Mitchell	Travis
Bridges	Gibbs	Mooers	Treanor
Brodsky	Gillette	Morgan	Tuthill, H. H.
Carpenter, E. A.	Gray	Newman	Tuttle, R. M.
Carpenter, I. S.	Griggs	Nowlan	Van Valkenburgh
Catlin	Hagan	O'Brien	Waterbury
Chase	Hayes	Potts	Wells, D. A.
Chickering	Husted	Russell	Wiley
Clancy	Ingersoll	Sipp	Mr. Speaker
Clark			

Those who voted in the negative, were

Alvord	Curtis	Kennedy	Shanley
Beach	Davis	Lindsay	Sheridan
Beates	Deane	Low	Sherman
Benedict, T. E.	Douglass	McCarthy	Shuit
Bradley	Evans	McTernan	Slingerland
Case	Ferris	Miller	Steele
Chamberlain	Fish	Parker	Titus
Childs	Gwinup	Peck	Tully
Cookinham	Havens	Roberts	Warner
Crapser	Hoffman	Root	Wren
Cullinan	Howland	Sanders	Youngs



Mr. Alvord moved to recommit said bill to the joint committee on taxation and assessments, with instructions to amend the same in words following, and report forthwith:

"If any real estate in the possession or ownership of any person liable to assessment and taxation is incumbered by any lien by way of mortgage or contract to purchase, the party in possession or ownership of the same shall pay the full tax imposed upon it, and upon giving to the assessor, who shall assess the same, a true account of the incumbrance thereon by way of unpaid purchase-money or mortgage, such possessor or owner may pay the tax imposed thereon, but he shall upon demand receive a receipt for so much of the tax paid upon such property as is fairly and equitably represented by the interest of the vendor under contract on the mortgagee of such property, which receipt in the hands of such purchaser or mortgagor shall apply upon and be a payment of the amount due by him on his contract for the purchase of, or mortgage upon said real estate, whenever and as often as the amount due on either may be payable, except that in case the said purchaser or mortgagor shall by writing in the contract for sale and purchase, or in the mortgage lien on said real estate, stipulate and agree to pay the taxes on the same, he shall pay such tax in addition to the price agreed upon on such sale or purchase, or to the value of such mortgage lien and the lawful interest on either, and no claim for usury shall attach thereto, and the payment of such tax, without the demand for such special receipt, or such stipulation or agreement to pay such tax, shall deprive him of the right to offset such indebtedness against his liability to be assessed or pay his tax on any personal property owned by him or in his possession."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brodsky moved to recommit said bill to the special joint committee on taxation and assessment with instructions to amend the same in words following, and report forthwith:

Section 17. "They shall have power to further examine, on oath and affirmation, the person in possession of taxable property, in relation to its value or description, or in relation to the concealing of any property for the purpose of evading taxation, or in relation to the amount of such previous debts, or in relation to any debt created with intent to evade taxation. In case that any assessor shall be satisfied that a list does not contain a full and true statement of all taxable property of the person making it, together with the true valuation or a true statement of debts, it shall be lawful for him to correct the list or schedule as he shall deem just and proper."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), 'That a respectful message be sent to the Governor asking the return of Senate bill No. 166, entitled "An act to extend the time for the completion of the Penn Yan and New York railroad."

Mr. Speaker put the question whether the House would concur in the passage of said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

A message from the Senate was received and read informing of concurrence in the following resolution:



*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 73, entitled "An act for the better protection of the traveling public," for amendment.

*Ordered*, That the Clerk return said resolution to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bill:

"An act to amend chapter 365 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport, and the acts amendatory thereof.'"

*Ordered*, That the Clerk return said bill to the Governor.

Mr. Sanders offered for the consideration of the House a privileged resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of Leroy," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. 128.)

Mr. Speaker stated the second special order of the day being Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets."

The House again resolved itself into a committee of the whole on the bill entitled as follows:

Senate. "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tormey, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of said bill, and that the same be recommitted to the committee on affairs of cities, with instructions to strike out all after the enacting clause and insert in lieu thereof Senate bill No. 121, in words following, said committee to report forthwith, and said bill be ordered to a third reading:

Section 1. The reservoir in the city of New York, situated on the Fifth avenue, between Fortieth and Forty-second streets, is hereby discontinued, and the commissioner of public works of said city is hereby authorized and directed, within six months from the passage of this act, to remove the pipes connecting with said reservoir, and to lay another main in Fifth avenue between Fortieth and Forty-second streets, to connect the mains now leading in and out of the said reservoir. He is further directed to remove the structure and grade the ground now occupied by said reservoir to the level of the adjacent streets in a suitable manner for the purpose of a park.

§ 2. The costs and expenses of the removal of the pipes connected with the said reservoir, and of laying the new main as provided by the first section of this act, shall be raised by a tax upon the real and personal property subject to taxation in the city and county of New York, and included in the tax levy for the years 1880 and 1881. The cost

and expense of the removal of the structure of said reservoir and of grading the ground now occupied by it shall be paid by the owners of property within the following limits: the westerly side of Sixth avenue, the southerly side of Thirty-seventh street, the easterly side of Madison avenue and the northerly side of Forty-fifth street; the same to be assessed and collected by the board of assessors of the city of New York, in like manner as assessments for local improvements.

§ 3. The comptroller of the city of New York is hereby authorized to pay the cost and expense of said improvement, as above provided, on the certificate of the commissioner of public works, and in order to enable the said comptroller to make such payments, he is hereby authorized and empowered and directed to issue revenue bonds of the said city in anticipation of the amount to be raised for the expense and cost of the said improvement. Such bonds shall bear interest at such rate as the said comptroller may deem proper, but not exceeding the rate of six per cent per annum, and shall be sold at not less than par. So much of the proceeds of said tax and the collection of the said assessment as may be necessary for the purpose shall be applied to the payment of the revenue bonds, to be issued as aforesaid, as they shall mature.

§ 4. The land at present occupied by the said reservoir, together with the adjacent land lying west thereof, known as Reservoir square, shall be converted into a public park, which shall be laid out by, and be under the control and management of the park commissioners, and kept and maintained by them as one of the public parks and places in the city of New York.

§ 5. The public park so created shall not be used for military parades, drills, inspections or reviews of any kind.

§ 6. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 51 }  
{ NOES 44 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Rhodes
Andrews	Davis	Liddle	Sanders
Baker, B. F.	Ellis	Low	Shanley
Benedict, T. E.	Gibbs	McCabe	Sipp
Bennett	Gillette	McTernan	Thilemann
Carpenter, I. S.	Gray	Mead	Van Valkenburgh
Case	Gwinup	Mooers	Varuum
Catlin	Hagan	Newman	Warner
Chase	Havens	Nowlan	Wells, D. A.
Chickering	Hayes	Parker	Wells, J. L.
Clancy	Hurd	Pitcher	Wren
Clowes	Husted	Potter	Youngs
Cohen	Ingersoll	Potts	

Those who voted in the negative, were

Beach	Curtis	Lefever	Sheridan
Brennan	Cushing	McAvoy	Sherman
Brodsky	Deane	McCarthy	Skinner
Carpenter, E. A.	Dougherty	McDonald	Slingerland
Chamberlain	Douglass	Miller	Titus
Childs	Duell	Mitchell	Tormey
Clark	Ferris	Morgan	Tozier

Congdon  
Costello  
Crapser  
Cullinan

Fiske  
Fitzgerald  
Hoffman  
Howland

O'Brien  
Peck  
Phillips  
Root

Travis  
Treanor  
Tuthill, H. H.  
Tuttle, R. M.

The hour of two having arrived the House took a recess until 4 P. M.

### FOUR O'CLOCK, P. M.

The House again met.

The Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Costello	Kennedy	Sherman
Baker, C. S.	Crapser	Lefever	Shuit
Beates	Cullinan	Liddle	Sipp
Benedict, E. D.	Curtis	Lindsay	Skinner
Bradley	Davis	Low	Slingerland
Brennan	Deane	McCabe	Steele
Bridges	Douglass	McTernan	Tallmadge
Brodsky	Duell	Miller	Travis
Bullock	Ellis	Mitchell	Tully
Carpenter, E. A.	Ferris	Morgan	Tuthill, H. H.
Carpenter, I. S.	Fish	Newman	Tuttle, R. M.
Case	Fiske	O'Brien	Van Valkenburgh
Chamberlain	Gillette	Parker	Walsh
Chase	Griggs	Phillips	Waterbury
Chickering	Gwinup	Potts	Wells, D. A.
Clowes	Hoffman	Rhodes	Wells, J. L.
Cohen	Howland	Roberts	Wren
Congdon	Hurd	Root	Mr. Speaker
Cookinham	Husted		

A quorum being present.

By unanimous consent,

Mr. Hoffman introduced a bill entitled "An act to provide a public park for the city of Elmira, and for the care of the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hoffman, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Rhodes
Andrews	Costello	Lefever	Roberts
Baker, C. S.	Cullinan	Liddle	Root
Beach	Davis	Lindsay	Shuit
Beates	Dougherty	Low	Sipp
Benedict, E. D.	Duell	McAvoy	Skinner

Bradley	Duguid	McCarthy	Slingerland
Brennan	Ellis	Mead	Steele
Bridges	Ferris	Miller	Strait
Brodsky	Fish	Mitchell	Tallmadge
Bullock	Gillette	Mooers	Tuthill, H. H.
Carpenter, E. A.	Gray	Morgan	Tuttle, R. M.
Carpenter, I. S.	Griggs	Newman	Van Valkenburgh
Case	Gwinup	Nowlan	Walsh
Chamberlain	Hagan	O'Brien	Waterbury
Chase	Havens	Parker	Wells, D. A.
Chickering	Hoffman	Phillips	Wells, J. L.
Clowes	Howland	Pitcher	Wiley
Cohen	Hurd	Potts	Wren
Congdon	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 1107), entitled "An act for the relief of James B. Brady," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 1123), entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodsky (introductory No. 1136), entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 945), entitled "An act in relation to a public park in the city of Albany, now known as the Washington Park, supplementary and amendatory to an act passed May 5, 1869, and supplementary and amendatory to subsequent acts passed April 23, 1870, March 31, 1871, February 16, 1872, March 11, 1873, March 28, 1874, and June 7, 1875," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, and ordered printed.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell (introductory No. 1067), entitled "An act relating to certain local improvements and assessments in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 1027), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," reported

in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Costello (introductory No. 96S), entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDonald (introductory No. 1104), entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 227), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 235), entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 222), entitled "An act in relation to arrears of personal taxes in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 74 }  
} NOES 9 }

Those who voted in the affirmative, were

Andrews	Deane	Liddle	Root
Baker, C. S.	Dougherty	Lindsay	Shanley
Beach	Duell	Low	Sherman
Beates	Duguid	McCarthy	Shuit
Brennan	Ellis	McDonald	Sipp
Bridges	Ferris	Mead	Skinner
Brodsky	Fish	Miller	Steele
Bullock	Gibbs	Mooers	Strait
Carpenter, I. S.	Gillette	Morgan	Thilemann
Case	Gray	Newman	Tully
Chase	Griggs	Nowlan	Tuthill, H. H.
Chickering	Gwinup	O'Brien	Tuttle, R. M.

Clark  
Clowes  
Cohen  
Costello  
Crapser  
Cullinan  
Davis

Hagan  
Hoffman  
Howland  
Hurd  
Ingersoll  
Kennedy  
Lefever

Parker  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes

Van Valkenburgh  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Wiley  
Wren

Those who voted in the negative, were

Alvord  
Bradley  
Cookinham

Havens  
Husted

Mitchell  
Rhodes

Varnum  
Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations," being announced for a third reading,

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following:

Strike out from the commencement of section down to and including the word "State," in line 7, and insert as follows:

"Hereafter it shall be the duty of the president or treasurer of every association, corporation or joint-stock company, liable to be taxed, or its capital stock, as provided in section 3 of this act."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, T. E.  
Bennett  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Chamberlain  
Chickering  
Clark  
Clowes  
Congdon  
Cookinham

Costello  
Crapser  
Cullinan  
Curtis  
Cushing  
Davis  
Deane  
Duell  
Duguid  
Ellis  
Ferris  
Fish  
Fiske  
Gray  
Griggs  
Gwinup  
Hoffman  
Howland  
Hurd  
Husted  
Ingersoll

Kennedy  
Lefever  
Liddle  
Lindsay  
Low  
McAvoy  
McCarthy  
McDonald  
Mead  
Miller  
Mitchell  
Mooers  
Morgan  
Newman  
O'Brien  
Parker  
Peck  
Phillips  
Potts  
Rhodes  
Root

Sanders  
Sheridan  
Sherman  
Shuit  
Sipp  
Skinner  
Slingerland  
Steele  
Strait  
Tallmadge  
Tormey  
Tozier  
Tully  
Tuthill, H. H.  
Tuttle, R. M.  
Varnum  
Walsh  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Wren

Those who voted in the negative, were

Fitzgerald

Gillette

Pitcher

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.



The Senate sent for concurrence the bill entitled "An act to amend chapter 217 of the Laws of 1875, entitled 'An act relative to the Farmers' Loan and Trust Company.'"

On motion of Mr. Mitchell, and by unanimous consent, said bill was substituted for Assembly bill, in sub-committee of the whole, on same subject.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, April 27, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill entitled "An act to authorize the collector or receiver of taxes for the town of Liberty, in Sullivan county, to renew his bond, and to extend the time for receiving and collecting the unpaid taxes in said town."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Potts
Andrews	Cookinham	Husted	Rhodes
Baker, B. F.	Costello	Ingersoll	Roberts
Baker, C. S.	Crapser	Kennedy	Root
Beach	Curtis	Lefever	Russell
Beates	Cushing	Liddle	Sanders
Benedict, E. D.	Davis	Lindsay	Shuit
Bennett	Deane	Low	Sipp
Bradley	Dougherty	McAvoy	Skinner
Brennan	Duell	McCabe	Slingerland
Bridges	Ellis	McCarthy	Steele
Brodsky	Ferris	McDonald	Strait
Bullock	Fish	Miller	Tallmadge
Carpenter, E. A.	Fiske	Mitchell	Thilemann
Carpenter, I. S.	Gibbs	Mooers	Tozier
Case	Gillette	Newman	Tuttle, R. M.
Chamberlain	Gray	Nowlan	Van Valkenburgh
Chase	Griggs	O'Brien	Waterbury
Chickering	Gwinup	Parker	Wells, D. A.
Childs	Hagan	Phillips	Wells, J. L.
Clark	Hoffman	Pitcher	Wiley
Clowes	Howland	Potter	Wren
Cohen			

On motion of Mr. Potts, and by unanimous consent, said bill was amended in words following:

Section 1, line 1, strike out the word "first" and insert the word "fifteenth;" same section, line 15, strike out the word "fifteenth" and insert the word "first;" same line strike out the word "May" and insert the word "June;" same section, line 16, after the word "all" insert the word "proper."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to



the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sanders
Andrews	Curtis	Lindsay	Sherman
Baker, B. F.	Cushing	McAvoy	Shuit
Baker, C. S.	Davis	McCabe	Sipp
Beach	Deane	McCarthy	Skinner
Beates	Duell	McDonald	Slingerland
Benedict, E. D.	Duguid	McTernan	Steele
Benedict, T. E.	Ellis	Miller	Strait
Bennett	Evans	Mitchell	Tallmadge
Brennan	Ferris	Mooers	Thilemann
Bridges	Fish	Morgan	Tozier
Brodsky	Fiske	Newman	Tully
Bullock	Gillette	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gray	O'Brien	Tuttle, R. M.
Case	Griggs	Phillips	Van Valkenburgh
Chamberlain	Gwinup	Pitcher	Varnum
Chase	Hoffman	Potter	Walsh
Chickering	Howland	Potts	Waterbury
Childs	Hurd	Rhodes	Wells, D. A.
Clowes	Ingersoll	Roberts	Wells, J. L.
Cookinham	Kennedy	Root	Wiley
Crapser	Lefever	Russell	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill No. 121, as amended by Assembly committee (introductory No. 219), entitled "An act for removal of the reservoir situated in the city of New York, between 40th and 42d streets," by instruction of the House reports back original Senate bill No. 121, which report was agreed to and said bill ordered to a third reading.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 137, general orders No. 646, entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Low (introductory No. 973), entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the Falls of Niagara," for amendment, reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Crapser (introductory No. 813), entitled "An act for the improvement of the east and west branch of the St. Regis river," reported adversely thereto, which report was agreed to.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 204), entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Mitchell (introductory No. 252), entitled "An act to authorize the issue of certain bonds and stocks of the city of New York exempt from taxation," reported adversely thereto, which report was agreed to.

Mr. Hurd moved to lay said order of business on the table, for the purpose of considering Senate bill No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 60 }  
{ NOES 35 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sanders
Andrews	Cullinan	Kennedy	Sheridan
Baker, B. F.	Curtis	Low	Sherman
Baker, C. S.	Cushing	Mead	Shuit
Beates	Davis	Miller	Skinner
Brennan	Deane	Mitchell	Slingerland
Bridges	Duguid	Mooers	Steele
Brodsky	Fitzgerald	Morgan	Titus
Carpenter, E. A.	Gillette	O'Brien	Tozier
Case	Gray	Phillips	Travis
Chamberlain	Griggs	Pitcher	Tuttle, R. M.
Chase	Hagan	Potter	Van Valkenburgh
Chickering	Howland	Potts	Varnum
Clark	Hurd	Roberts	Walsh
Clowes	Husted	Root	Wells, J. L.

Those who voted in the negative, were

Beach	Congdon	Liddle	Sipp
Benedict, T. E.	Costello	Lindsay	Strait
Bradley	Crapser	McDonald	Thilemann
Bullock	Dougherty	McTernan	Tormey
Carpenter, I. S.	Evans	Newman	Tully
Catlin	Gwinup	Nowlan	Tuthill, H. H.
Childs	Havens	Parker	Waterbury
Clancy	Hoffman	Rhodes	Wiley
Cohen	Lefever	Shanley	

Mr. Tozier moved to lay said order of business on the table for the purpose of taking up order of business, reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,'" passed April 19, 1867.

"An act relating to fees, percentages and allowances of public officers a burden upon and a charge against the various cities of the State."

"An act to enable marine insurance companies to amend their charters."

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,'" passed April 28, 1866.

"An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health."

"An act to authorize the city of Buffalo to issue its bonds, payable 40 years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street, to a point on the Niagara river below the water-works tunnel, as the common council and mayor of said city of Buffalo may direct."

"An act to provide for the disposition of a portion of the Chenango canal, and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith."

The bill entitled "An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school No. 6, in the town of Manlius, of the county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Gray	Potts
Andrews	Cohen	Hagan	Rhodes
Baker, B. F.	Cookinham	Havens	Root
Baker, C. S.	Crapser	Hayes	Shuit
Beach	Cullinan	Hoffman	Sipp
Beates	Curtis	Howland	Skinner
Benedict, T. E.	Cushing	Husted	Slingerland
Bradley	Davis	Ingersoll	Strait
Brennan	Deane	Kennedy	Tallmadge
Bridges	Dougherty	Lefever	Titus
Brodsky	Douglass	Liddle	Travis
Bullock	Duell	Lindsay	Tully
Carpenter, I. S.	Duguid	McDonald	Tuthill, H. H.
Case	Ellis	Miller	Tuttle, R. M.
Catlin	Evans	Mitchell	Van Valkenburgh
Chamberlain	Ferris	Mooers	Varnum

Chase	Fish	Nowlan	Waterbury
Chickering	Fitzgerald	Parker	Wells, J. L.
Childs	Gibbs	Phillips	Wiley
Clark •	Gillette	Potter	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sanders
Andrews	Cullinan	Kennedy	Shanley
Baker, B. F.	Curtis	Lefever	Sheridan
Baker, C. S.	Cushing	Liddle	Shuit
Beach	Davis	Lindsay	Sipp
Beates	Deane	Low	Skinner
Benedict, E. D.	Duell	McCabe	Steele
Bradley	Duguid	McCarthy	Strait
Brennan	Ellis	McDonald	Terry
Bridges	Evans	Mead	Thilemann
Brodsky	Ferris	Miller	Titus
Bullock	Fish	Mooers	Tormey
Carpenter, E. A.	Gibbs	Morgan	Tozier
Carpenter, I. S.	Gillette	Newman	Tully
Case	Gray	Nowlan	Tuthill, H. H.
Catlin	Griggs	O'Brien	Tuttle, R. M.
Chickering	Gwinup	Phillips	Van Valkenburgh
Childs	Hayes	Pitcher	Varnum
Clark	Hoffman	Potter	Waterbury
Cohen	Howland	Potts	Wells, D. A.
Congdon	Hurd	Rhodes	Wells, J. L.
Costello	Husted	Root	Youngs

Those who voted in the negative, were  
 McAvoy

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,'" passed April 28, 1866, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shanley
Andrews	Cushing	Liddle	Sheridan

Baker, B. F.	Davis	Low	Sherman
Baker, C. S.	Deane	McCabe	Shuit
Beach	Dougherty	McCarthy	Sisson
Beates	Duell	McDonald	Skinner
Benedict, T. E.	Duguid	McTernan	Slingerland
Bradley	Ellis	Mead	Steele
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mitchell	Thilemann
Brodsky	Fiske	Mooers	Titus
Carpenter, E. A.	Gibbs	Morgan	Tozier
Carpenter, I. S.	Gillette	Newman	Travis
Case	Gray	Nowlan	Tully
Catlin	Gwinup	O'Brien	Tuthill, H. H.
Chase	Hagan	Parker	Tuttle, R. M.
Chickering	Havens	Phillips	Van Valkenburgh
Childs	Hayes	Pitcher	Waterbury
Clark	Hoffman	Potts	Wells, D. A.
Cohen	Howland	Rhodes	Wells, J. L.
Congdon	Husted	Root	Wiley
Crapser	Ingersoll	Sanders	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Shanley
Andrews	Cullinan	Ingersoll	Sheridan
Baker, B. F.	Curtis	Kennedy	Sherman
Baker, C. S.	Cushing	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Skinner
Benedict, E. D.	Duell	McCarthy	Slingerland
Brennan	Duguid	McTernan	Steele
Bridges	Evans	Mead	Strait
Brodsky	Ferris	Miller	Tallmadge
Bullock	Fish	Mitchell	Thilemann
Carpenter, E. A.	Fiske	Mooers	Titus
Carpenter, I. S.	Fitzgerald	Morgan	Tozier
Case	Gibbs	Newman	Travis
Catlin	Gillette	Nowlan	Tully
Chamberlain	Gray	O'Brien	Tuthill, H. H.
Chickering	Griggs	Parker	Tuttle, R. M.
Childs	Gwinup	Phillips	Van Valkenburgh
Clark	Havens	Pitcher	Waterbury
Clowes	Hayes	Potts	Wells, D. A.
Cohen	Hoffman	Rhodes	Wells, J. L.
Congdon	Howland	Root	Wren
Costello	Hurd	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brodsky moved to take from the table the motion to reconsider the vote by which Senate bill No. 76, entitled "An act in relation to the port and harbor of New York and the waters near the same," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take said bill from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sheridan
Andrews	Cushing	Lindsay	Sherman
Baker, B. F.	Dayls'	McAvoy	Shuit
Baker, C. S.	Deane	McCabe	Sisson
Beach	Dougherty	McCarthy	Skinner
Beates	Duell	McDonald	Slingerland
Benedict, E. D.	Duguid	McTernan	Steele
Benedict, T. E.	Ellis	Mead	Strait
Bridges	Ferris	Miller	Tallmadge
Brodsky	Fish	Mitchell	Thilemann
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Gibbs	Newman	Travis
Carpenter, I. S.	Gillette	Nowlan	Treanor
Case	Gray	O'Brien	Tully
Catlin	Griggs	Parker	Tuthill, H. H.
Chamberlain	Gwinup	Phillips	Tuttle, R. M.
Chase	Havens	Pitcher	Van Valkenburgh
Chickering	Hayes	Potter	Varnum
Clark	Hoffman	Potts	Walsh
Clowes	Howland	Rhodes	Waterbury
Cohen	Hurd	Root	Wells, D. A.
Congdon	Husted	Sanders	Wells, J. L.
Costello	Ingersoll	Seeley	Youngs
Cullinan	Kennedy	Shanley	

On motion of Mr. Brodsky, and by unanimous consent, said bill was amended in words following:

Amend section 5 by striking out the words "sinking fund of the" in first line, and insert in lieu thereof the word "police" before the word "commissioners."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Baker, B. F.	Deane	Lindsay	Sisson

Baker, C. S.	Douglass	Low	Skinner
Beach	Duell	McAvoy	Slingerland
Beates	Duguid	McCarthy	Steele
Benedict, E. D.	Ellis	McTernan	Strait
Bradley	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mitchell	Tormey
Bullock	Fiske	Mooers	Tozier
Carpenter, I. S.	Gibbs	Morgan	Travis
Case	Gillette	Nowlan	Tully
Catlin	Gray	O'Brien	Tuthill, H. H.
Chamberlain	Griggs	Phillips	Tuttle, R. M.
Chase	Hayes	Pitcher	Van Valkenburgh
Chickering	Howland	Potter	Varnum
Clark	Hurd	Potts	Walsh
Clowes	Husted	Sanders	Waterbury
Cullinan	Ingersoll	Shanley	Wells, D. A.
Curtis	Kennedy	Sheridan	Wells, J. L.

Those who voted in the negative, were  
Benedict, T. E. Havens

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 271, general orders No. 293, entitled "An act to amend chapter 476, Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester,'" do now have its third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sanders
Andrews	Cookinham	Kennedy	Sheridan
Baker, B. F.	Costello	Lefever	Sherman
Baker, C. S.	Crapser	Liddle	Shuit
Beach	Cullinan	Low	Sipp
Beates	Curtis	McAvoy	Skinner
Benedict, E. D.	Cushing	McCarthy	Slingerland
Bradley	Davis	Mead	Steele
Brennan	Deane	Miller	Strait
Bridges	Dougherty	Mitchell	Tallmadge
Brodsky	Ellis	Mooers	Titus
Bullock	Evans	Morgan	Tozier
Carpenter, E. A.	Ferris	Nowlan	Travis
Carpenter, I. S.	Fish	O'Brien	Tully
Case	Gibbs	Parker	Tuthill, H. H.



Oatlin	Gillette	Phillips	Tuttle, R. M.
Chamberlain	Gray	Pitcher	Van Valkenburgh
Chase	Griggs	Potter	Varnum
Chickering	Gwinup	Potts	Waterbury
Childs	Havens	Rhodes	Wells, D. A.
Clark	Hoffman	Roberts	Wells, J. L.
Cohen	Howland	Russell	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of concurrence in the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of LeRoy," for amendment.

*Ordered*, That the Clerk return said resolution to the Governor.

A message was received from the Senate in words following :

IN SENATE, *April 29, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows :

"And if completed within that time, the conveyance and alienation of all the right, title and interest of the State of New York, in and to the banks and prism of the Crooked Lake canal, to the said railroad company heretofore executed by the Commissioners of the Land Office, bearing date the 18th day of April, 1878, shall have the same force and effect as though the said railroad company had constructed and completed said railroad as required by section 2 of chapter 143 of the Laws of 1878 ; and any forfeiture of said conveyances by the failure to construct and complete said railroad as therein provided is hereby waived.

And as amended passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hoffman	Roberts
Andrews	Cookinham	Howland	Root
Ash	Costello	Husted	Russell
Baker, B. F.	Crapser	Ingersoll	Sanders
Baker, C. S.	Cullinan	Kennedy	Shanley
Beach	Curtis	Lefever	Sherman
Beates	Cushing	Liddle	Shuit

Benedict, E. D.	Davis	Lindsay	Sipp
Bradley	Deane	McCarthy	Skinner
Brennan	Dougherty	McDonald	Slingerland
Bridges	Duell	Mead	Steele
Brodsky	Duguid	Miller .	Strait
Bullock	Ellis	Mitchell	Tallmadge
Carpenter, I. S.	Evans	Mooers	Titus
Case	Ferris	Nowlan	Tozier
Catlin	Fish	O'Brien	Tully
Chamberlain	Fiske	Parker	Tuthill, H. H.
Chase	Gibbs	Phillips	Tuttle, R. M.
Chickering	Gillette	Pitcher	Waterbury
Childs	Gray	Potter	Wells, D. A.
Clark	Griggs	Potts	Wells, J. L.
Clowes	Gwinup	Rhodes	Wiley
Cohen	Hagan		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

●  
 { AYES 101 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Root
Andrews	Cookinham	Ingersoll	Russell
Ash	Costello	Kennedy	Sanders
Baker, B. F.	Crapser	Lefever	Shanley
Baker, C. S.	Cullinan	Liddle	Sheridan
Beach	Curtis	Lindsay	Sherman
Beates	Cushing	Low	Shuit
Benedict, E. D.	Davis	McAvoy	Sipp
Benedict, T. E.	Dougherty	McCarthy	Skinner
Bennett	Duell	McDonald	Slingerland
Bradley	Duguid	Mead	Steele
Brennan	Ellis	Miller	Strait
Bridges	Evans	Mitchell	Tallmadge
Brodsky	Ferris	Mooers	Titus
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Gibbs	Nowlan	Tully
Case	Gillette	O'Brien	Tuthill, H. H.
Catlin	Gray	Parker	Tuttle, R. M.
Chamberlain	Griggs	Phillips	Van Valkenburgh
Chase	Hagan	Pitcher	Varnum
Chickering	Hayes	Potter	Waterbury
Childs	Hoffman	Potts	Wells, D. A.
Clark	Howland	Rhodes	Wells, J. L.
Clowes	Hurd	Roberts	Wiley
Cohen			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to repeal section 3 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning Library, and all acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Hayes	Roberts
Andrews	Congdon	Hoffman	Root
Baker, B. F.	Costello	Hurd	Sanders
Baker, C. S.	Crapser	Husted	Shanley
Beach	Cullinan	Ingersoll	Sherman
Beates	Curtis	Kennedy	Shuit
Benedict, E. D.	Cushing	Lefever	Sipp
Benedict, T. E.	Davis	Liddle	Skinner
Bradley	Deane	Lindsay	Slingerland
Brennan	Dougherty	McDonald	Steele
Bridges	Douglass	Miller	Strait
Brodsky	Duell	Mitchell	Titus
Bullock	Ellis	Mooers	Tozier
Carpenter, E. A.	Evans	Morgan	Tully
Carpenter, I. S.	Ferris	Nowlan	Tuthill, H. H.
Case	Fish	O'Brien	Tuttle, R. M.
Catlin	Fiske	Parker	Van Valkenburgh
Chamberlain	Gillette	Phillips	Varnum
Chase	Gray	Pitcher	Waterbury
Chickering	Griggs	Potter	Wells, D. A.
Childs	Gwinup	Potts	Wells, J. L.
Clark	Havens	Rhodes	Wiley

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the auditing of expenses for the support of the county poor and the purchase of supplies in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sanders
Andrews	Cushing	Liddle	Sheridan
Baker, B. F.	Davis	Lindsay	Sherman
Baker, C. S.	Deane	McAvoy	Shuit
Beach	Dougherty	McCarthy	Sipp
Beates	Duell	McDonald	Skinner
Benedict, E. D.	Ellis	McTernan	Slingerland
Benedict, T. E.	Evans	Mead	Steele
Bradley	Ferris	Miller	Strait
Bullock	Fish	Mitchell	Tallmadge
Carpenter, E. A.	Fiske	Mooers	Tozier
Carpenter, I. S.	Gibbs	Nowlan	Tuthill, H. H.
Case	Gray	O'Brien	Tuttle, R. M.
Catlin	Griggs	Parker	Van Valkenburgh
Chamberlain	Gwinup	Phillips	Varnum
Chase	Hayes	Pitcher	Waterbury
Chickering	Hoffman	Potter	Wells, D. A.
Childs	Hurd	Potts	Wells, J. L.

Clark  
CullinanIngersoll  
KennedyRhodes  
Root

Wiley

Those who voted in the negative, were

Brennan

Congdon

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Daniel F. Cornell as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Roberts
Andrews	Cookinham	Lefever	Root
Baker, B. F.	Costello	Liddle	Sanders
Baker, C. S.	Cushing	Lindsay	Shanley
Beach	Davis	Low	Sherman
Beates	Deane	McAvoy	Shuit
Benedict, E. D.	Dougherty	McCarthy	Sipp
Benedict, T. E.	Duell	McDonald	Skinner
Bradley	Ellis	Miller	Slingerland
Brennan	Evans	Mitchell	Strait
Bridges	Ferris	Mooers	Tallmadge
Brodsky	Fish	Morgan	Tozier
Bullock	Fiske	Newman	Travis
Carpenter, E. A.	Gillette	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gray	O'Brien	Tuttle, R. M.
Case	Griggs	Parker	Van Valkenburgh
Catlin	Havens	Phillips	Varnum
Chase	Hayes	Pitcher	Waterbury
Chickering	Hoffman	Potter	Wells, D. A.
Clark	Howland	Potts	Wells, J. L.
Clowes	Ingersoll	Rhodes	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the term of office of the improvement commissioners in Long Island City for the purpose of completing certain improvements heretofore authorized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Hoffman	Roberts
Andrews	Congdon	Howland	Root
Baker, B. F.	Cookinham	Ingersoll	Sanders
Baker, C. S.	Costello	Kennedy	Sheridan
Beach	Cullinan	Lefever	Sherman
Beates	Curtis	Liddle	Shuit

Benedict, E. D.	Cushing	McAvoy	Sipp
Benedict, T. E.	Davis	McCarthy	Skinner
Bradley	Deane	McDonald	Slingerland
Brennan	Duell	McTernan	Strait
Bridges	Ellis	Miller	Tallmadge
Brodsky	Evans	Mitchell	Terry
Bullock	Ferris	Mooers	Tozier
Carpenter, E. A.	Fish	Morgan	Travis
Carpenter, I. S.	Fiske	Nowlan	Tuthill, H. H.
Case	Gibbs	O'Brien	Tuttle, R. M.
Catlin	Gillette	Parker	Varnum
Chamberlain	Gray	Phillips	Waterbury
Chase	Griggs	Potter	Wells, D. A.
Chickering	Gwinup	Potts	Wells, J. L.
Childs	Hagan	Rhodes	Wiley
Clark	Hayes		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to repress and punish disorderly conduct on public conveyances," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Childs	Ingersoll	Sanders
Andrews	Clark	Kennedy	Sherman
Baker, B. F.	Clowes	Lefever	Shuit
Baker, C. S.	Congdon	Liddle	Sipp
Beach	Cullinan	Lindsay	Skinner
Beates	Curtis	McAvoy	Slingerland
Benedict, E. D.	Cushing	Miller	Strait
Benedict, T. E.	Davis	Mitchell	Tallmadge
Bradley	Deane	Morgan	Tozier
Brennan	Duell	Nowlan	Travis
Bridges	Ellis	O'Brien	Tully
Brodsky	Evans	Parker	Tuthill, H. H.
Bullock	Ferris	Phillips	Tuttle, R. M.
Carpenter, E. A.	Fiske	Pitcher	Van Valkenburgh
Carpenter, I. S.	Gillette	Potter	Varnum
Case	Gray	Potts	Waterbury
Catlin	Griggs	Rhodes	Wells, D. A.
Chamberlain	Gwinup	Roberts	Wells, J. L.
Chase	Hagan	Root	Wiley
Chickering	Hoffman		

Those who voted in the negative, were  
Dougherty

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act to regulate voting by stock and bondholders of railroad corporations," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section 2, and insert the following in lieu thereof:

Section 2. It shall not be lawful for any person to vote, or to issue a proxy to any other person or persons to vote at any meeting of stockholders or bondholders, or of stockholders and bondholders of any railroad corporation in this State for the election of directors, or for any other purpose, upon any stock or bonds where the certificates for said stock or the said bonds shall not be in the possession or under the control of the person on whose behalf the vote is to be given, and such last-mentioned person shall have ceased to retain the title to the stock represented by such certificates or the said bonds as owner in his own right or in his capacity of executor, administrator, trustee, committee, guardian or otherwise, notwithstanding said stock or bonds may still stand in his name on the books of said corporation. No person having the right to vote upon stock or bonds shall sell his vote or issue a proxy to vote upon such stock or bonds to any person for any sum of money, or any thing of value whatever. Any person offering to vote upon stock or bonds registered or standing in his name shall, if required by any inspector of election, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that in voting at this election I have not, either directly or impliedly, received any promise or any sum of money, or any thing of value whatever, to influence the giving of my vote, or votes, at this election; and that I have not sold or otherwise disposed of my interest in or title to any shares or bonds in respect to which I offer to vote at this election, but that all such shares and bonds still remain in my possession or subject to my control." Any person offering to vote as agent, attorney or proxy for any other person shall, if required by inspector of election, take and subscribe the following oath (or affirmation): "I do solemnly swear (or affirm) that the title to the stock or bonds upon which I now offer to vote is, to the best of my knowledge and belief, truly and in good faith vested in the persons in whose name they now stand, and that the said persons still retain control of the said shares and bonds, and that I have not, either directly or indirectly or impliedly, given any promise or any sum of money, or any thing of value whatever to induce the giving of the authority to vote upon such stock or bonds to me." The inspectors at any such election are authorized to administer the aforesaid oath or affirmation, and said oath and said proxies shall be filed in the office of said corporation. Any person who shall swear or affirm falsely in taking the oath or affirmation prescribed by this act shall be guilty of perjury. Any person violating any of the other provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment not exceeding one year, or by a fine not exceeding \$5,000, or by both such fine and imprisonment.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Sanders
Andrews	Curtis	Ingersoll	Shanley
Baker, B. F.	Cushing	Kennedy	Sheridan
Baker, C. S.	Davis	Lefever	Sherman

Beach	Deane	Liddle	Shuit
Beates	Dougherty	Lindsay	Sipp
Benedict, E. D.	Douglass	McCabe	Skinner
Benedict, T. E.	Duell	McCarthy	Slingerland
Bradley	Duguid	McDonald	Steele
Brennan	Ellis	Mead	Strait
Bridges	Evans	Miller	Tallmadge
Brodsky	Ferris	Morgan	Terry
Bullock	Fish	Nowlan	Tully
Carpenter, E. A.	Fiske	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gillette	Parker	Tuttle, R. M.
Case	Gray	Phillips	Van Valkenburgh
Catlin	Griggs	Pitcher	Varnum
Chamberlain	Gwinup	Potter	Waterbury
Chase	Hagan	Potts	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clark	Hoffman	Root	Wiley
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 92, general orders No. 102, reported favorably from the committee on affairs of cities, entitled "An act to change the name of, and in relation to the Association for Befriending Children," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That the time within which the committee on the judiciary may report bill abolishing the office of Canal Appraiser, and the Board of Audit, and creating court of claims, is hereby extended ten days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved*, That bill No. 716, general orders No. 852, entitled "An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to prohibit discrimination in freight rates to be charged by railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The hour of six having arrived the House adjourned.



## FRIDAY MORNING, APRIL 30, 1880.

The House met pursuant to adjournment.

No clergyman being present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to authorize the board of supervisors of the county of Onondaga to borrow money by issuing the bonds of said county, and to provide for the payment of such bonds," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Duguid, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Andrews	Costello	Kennedy	Sherman
Ash	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Skinner
Beach	Davis	Low	Slingerland
Beates	Deane	Miller	Steele
Benedict, T. E.	Duell	Mooers	Strait
Bradley	Duguid	Morgan	Tallmadge
Brennan	Ellis	Newman	Terry
Bridges	Evans	Nowlan	Titus
Brotsky	Ferris	O'Brien	Tozier
Carpenter, E. A.	Fish	Parker	Travis
Carpenter, I. S.	Gray	Phillips	Tuthill, H. H.
Case	Griggs	Pitcher	Tuttle, R. M.
Chase	Gwinup	Potts	Varnum
Childs	Hagan	Rhodes	Waterbury
Clowes	Hoffman	Roberts	Wells, J. L.
Cohen	Howland	Root	Wiley
Congdon	Hurd	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Beach introduced a bill entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins, passed May 20, 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Nowlan, and by unanimous consent, the committee of the whole was discharged from further consideration of bill No. 725, entitled "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego, passed April 17, 1862,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sheridan
Andrews	Cullinan	Kennedy	Sherman
Ash	Curtis	Lefever	Shuit
Baker, B. F.	Davis	Liddle	Sipp
Baker, C. S.	Deane	Lindsay	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Duell	McTernan	Strait
Benedict, T. E.	Duguid	Miller	Tallmadge
Bradley	Ellis	Mooers	Terry
Brennan	Evans	Morgan	Titus
Bridges	Ferris	Nowlan	Tozier
Brodsky	Fish	O'Brien	Travis
Carpenter, E. A.	Gray	Parker	Tuthill, H. H.
Carpenter, I. S.	Griggs	Peck	Tuttle, R. M.
Case	Gwinup	Phillips	Varnum
Chamberlain	Hagan	Potts	Warner
Chase	Havens	Rhodes	Waterbury
Childs	Hayes	Roberts	Wells, J. L.
Clowes	Hoffman	Root	Wiley
Cohen	Howland	Seeley	Youngs
Congdon	Hurd		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Curtis introduced a bill entitled "An act to authorize the trustees of the village of Greene, Chenango county, to sell certain real estate and used by said village for the purposes of the fire department, and to purchase a new site and building for that purpose by and with the consent of a majority of the electors of such village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Curtis, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Shanley
Andrews	Cookinham	Ingersoll	Sheridan
Ash	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Skinner
Beates	Duell	McAvoy	Slingerland
Benedict, E. D.	Duguid	McTernan	Strait

Benedict, T. E.	Ellis	Miller	Tallmadge
Bradley	Evans	Mooers	Terry
Brennan	Ferris	Newman	Tozier
Bridges	Fish	Nowlan	Travis
Brodsky	Fiske	O'Brien	Tully
Bullock	Gray	Parker	Tuthill, H. H.
Carpenter, E. A.	Griggs	Peck	Varnum
Carpenter, I. S.	Gwinup	Phillips	Warner
Case	Hagan	Rhodes	Waterbury
Chamberlain	Hayes	Roberts	Wells, J. L.
Chase	Hoffman	Root	Wiley
Clowes	Howland	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business, introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mooers introduced a bill entitled "An act to regulate the commutation of highway taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. C. S. Baker introduced a bill entitled "An act to further amend the act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors, being chapter 137 of the Laws of 1857,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Varnum (by request) introduced a bill entitled "An act to amend chapter 508 of the Laws of 1879, entitled 'An act to provide for the construction and maintenance of an additional public bath in the city of New York, passed April 16, 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fiske introduced a bill entitled "An act to amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island, passed June 9, 1873, as amended by chapter 23 of the Laws of 1874, as amended by chapter 27 of the Laws of 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. E. A. Carpenter introduced a bill entitled "An act to legalize the official acts and proceeding of Irad W. Gildersleeve, a justice of the peace of the town of Southold, in the county of Suffolk, which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sheridan
Andrews	Castello	Lefever	Sherman

Ash	Cullinan	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Cushing	Low	Skinner
Beach	Davis	McAvoy	Slingerland
Beates	Deane	Miller	Steele
Benedict, E. D.	Dougherty	Mooers	Strait
Benedict, T. E.	Duell	Morgan	Tallmadge
Bradley	Duguid	Newman	Terry
Brennan	Ellis	Nowlan	Titus
Bridges	Evans	O'Brien	Tozier
Brodsky	Fish	Parker	Travis
Carpenter, E. A.	Gray	Peck	Tully
Carpenter, I. S.	Griggs	Phillips	Varnum
Case	Gwinup	Potts	Warner
Chase	Hagan	Rhodes	Waterbury
Chickering	Hayes	Roberts	Wells, J. L.
Clowes	Hoffman	Root	Wiley
Cohen	Hurd	Seeley	Youngs
Congdon	Ingersoll	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry introduced a bill entitled "An act for the preservation of lobsters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Tozier introduced a bill entitled "An act for the relief of the Attica and Arcade Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley introduced a bill entitled "An act to prevent any adulteration of sugar and syrup," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Brodsky (by request) introduced a bill entitled "An act authorizing and requiring the comptroller of the city of New York to audit and pay the claim of Simon Levy against the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 355, general orders No. 383, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" be recommitted to the committee on internal affairs, with power to report complete at any time.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved*, That when this House adjourns to-day, it be to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 891), entitled "An act to regulate the appointment of referees and receivers in courts of record in this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 193), entitled "An act to authorize the owner or holder of any mortgage or other lien or real estate in this State to pay the taxes and assessments thereon, and also to redeem such real estate from tax sales, and to collect the sums so paid with interest," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 202), entitled "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Comstock (introductory No. 1127), entitled "An act relative to foreign corporations and incorporated companies transacting business within the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Husted (introductory No. 1134), entitled "An act to amend the general manufacturing law," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 229), entitled "An act in relation to county officers in the county of Kings and their compensation as well as that of their deputies, clerks and assistants," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 190), entitled "An act to amend chapter 918 of the Laws of 1871, entitled "An act to amend the charter of the city of Cohoes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 72), entitled "An act in relation to Fourth avenue in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 909), entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same, and the acquisition of land for market purposes," reported in favor of the passage of the same,

with amendments, and the title amended so as to read as follows: "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements," reported said bill for the consideration of the House.

On motion of Mr. Varnum, said bill was ordered recommitted to the committee on affairs of cities, when printed.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Howland (introductory No. 1066), entitled "An act to authorize the village of Jordon to borrow money for the purpose of macadamizing or otherwise improving the streets of said village," reported adversely thereto, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 536), entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. J. L. Wells, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Rhodes (introductory No. 546), entitled "An act to repeal chapter 416 of the Laws of 1876, and for other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Committee on the Affairs of Cities upon Street Cleaning, reported in favor of the adoption of the following resolution:

*Resolved*, That 750 extra copies of the Report of the Committee on Affairs of Cities upon Street Cleaning be printed, with paper covers, under the direction of the Clerk of the Assembly, at the price specified in the contract for extra copies, such copies to be distributed pro rata among the members of Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Chase	Hoffman	Sipp
Andrews	Chickering	Hurd	Skinner
Ash	Clark	Ingersoll	Slingerland
Baker, B. F.	Clowes	Lefever	Tallmadge
Baker, C. S.	Cookinham	Liddle	Terpeny
Beach	Costello	Lindsay	Tozier
Benedict, E. D.	Cushing	Low	Tully
Benedict, T. E.	Deane	McAvoy	Tuttle, R. M.
Bradley	Dougherty	Miller	Varnum
Brennan	Duell	Newman	Walsh
Bridges	Ferris	O'Brien	Waterbury
Brodsky	Fish	Parker	Wells, J. L.
Bullock	Fiske	Phillips	Wiley



Carpenter, E. A.	Gray	Potter	Wren
Carpenter, I. S.	Griggs	Sanders	Youngs
Case	Hagan	Shanley	Mr. Speaker
Chamberlain	Hayes	Shuit	

Those who voted in the negative, were

Cohen	Curtis	Gwinup	Root
Cullinan	Evans	Rhodes	Sherman

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cookinham (introductory No. 1130), entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies, passed April 5, 1813, and of the several acts amendatory thereof,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole. Mr. Curtis dissenting.

Mr. Ingersoll, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1116), entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1138), entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1135, entitled "An act to enable subordinate councils of the Royal Arcanum, in the State of New York, to take, hold and convey real and personal estate, and to exercise other powers," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Terry (introductory No. ), entitled "An act for the preservation of lobsters," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 608, printed No. 169, entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 457, printed No. 94, entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the



town of Orangeville, Wyoming county, as justice of the peace," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 875, printed No. 161, entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 667, printed No. 583, entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 604, printed No. 532, entitled "An act to restrict appeals to the Court of Appeals in certain cases," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 844, printed No. 709, entitled "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 714, printed No. 621, entitled "An act for authorizing the board of supervisors of school district No. 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 899, printed No. 745, entitled "An act for the relief of Babette Stemmler," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 591, printed No. 516, entitled "An act permitting the common council of the city of Buffalo in its discretion to allow or disallow in whole or in part any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 786, printed No. 668, entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 775, printed No. 661, entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertising in newspapers published on Sunday,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 848, printed No. 712, entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 589, printed No. 514, entitled "An act to reduce the expenses of the improvement commission in Long Island City," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 675, printed No. 590, entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which the said company may commence operations,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 302, printed No. 279, entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the supreme court from courts of oyer and terminer," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 790, printed No. 671, entitled "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus,' and of the several acts amendatory thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 773, printed No. 659, entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 811, printed No. 688, entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 600, printed No. 527, entitled "An act to amend the twelfth section of the 'Act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848, as said section was amended by chapter 657 of the Laws of 1871, and as further amended by chapter 510 of the Laws of 1875,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 713, printed No. 620, entitled "An act to incorporate the Holstein Breeders Association of America," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, change "H. C. Hoffman" to "Henry C. Hoffman;" line 2, change "W. L. Chenery" to "Winthrop L. Chenery," change "W. M. Singerly" to "William M. Singerly," change "S Hoxie" to "Solomon Hoxie;" line 3, strike out the names of "T. C. Maxwell, T. G. Youmans, W. C. Brayton;" lines 4 and 5, strike out names, "W. R. Barr, A. Bradley, L. Ellwood J. D. Guthrie;" line 5, change "E. Hindekoper" to "Edgar Hindekoper," change "D. Severy," to "Dexter Severy;" lines 6 and 7, strike out names of "D. D. Tracy, F. W. Wright, E. M. Washburn, and change "W. S. Tilton" to "William S. Tilton," change "P. Rothbarth" to "Paul Rothbarth," change "H. Waterman," to "Henry Waterman."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 814, printed No. 691, entitled "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, change the word "county" to "counties," strike out word "is" and insert "and Fulton are;" also to amend the title by changing the word "county" to "counties," and after the word "Saratoga" in the first line insert "and Fulton."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 806, printed No. 683, entitled "An act authorizing the incorporation of Villa Park and suburban homestead associations," reported in favor of the passage of the same, with amendments as follows:

Section 6, line 3, change the word "required" to "acquired;" line 21, strike out the word "to."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 732, printed No. 633, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 6, strike out word "and;" also to add at the end of section 1 as follows: "Oswego, Rensselaer, Livingston and Erie."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1003, G. O. , printed No. , entitled "An act to amend chapter 107 of the Laws of 1878, as further amended by chapter 367, Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" reported in favor of the passage of the same, with an amendment as follows:

Section 2, strike out the word "immediately," and insert "January 1, 1881."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

On motion of Mr. Low, and by unanimous consent, the sub-committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" and said bill was ordered to a third reading.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sherman
Andrews	Cushing	Kennedy	Shuit
Baker, B. F.	Davis	Lefever	Sipp
Baker, C. S.	Deane	Liddle	Skinner
Beach	Dougherty	Lindsay	Slingerland
Benedict, E. D.	Duell	Low	Steele
Benedict, T. E.	Duguid	McDonald	Strait
Bradley	Ellis	Mead	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Ferris	Mooers	Terry
Brodsky	Fish	Morgan	Thilemann
Carpenter, E. A.	Gibbs	O'Brien	Tozier
Case	Gillette	Peck	Tuthill, H. H.
Catlin	Gray	Phillips	Tuttle, R. M.
Chase	Griggs	Pitcher	Varnum
Chickering	Gwinup	Potter	Warner
Clark	Havens	Potts	Waterbury
Clowes	Hayes	Rhodes	Wells, D. A.
Cohen	Hoffman	Roberts	Wells, J. L.
Congdon	Howland	Root	Wiley
Cookinham	Hurd	Shanley	Wren
Costello	Husted	Sheridan	Youngs
Cullinan			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sipp
Andrews	Costello	Ingersoll	Sisson
Baker, B. F.	Cullinan	Kennedy	Skinner
Baker, C. S.	Cushing	Lefever	Slingerland
Beach	Davis	Liddle	Steele
Benedict, E. D.	Deane	Lindsay	Strait

Bradley	Duell	McCarthy	Tallmadge
Brennan	Ellis	McDonald	Terry
Bridges	Evans	Mead	Thilemann
Brodsky	Ferris	Miller	Tozier
Bullock	Fish	Mooers	Tully
Carpenter, E. A.	Gillette	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gray	Parker	Tuttle, R. M.
Case	Griggs	Phillips	Varnum
Catlin	Gwinup	Potter	Waterbury
Chamberlain	Havens	Potts	Wells, D. A.
Chase	Hayes	Rhodes	Wells, J. L.
Childs	Hoffman	Roberts	Wiley
Clowes	Howland	Root	Wren
Cohen	Hurd	Shuit	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children respecting transcripts of the records," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sipp
Andrews	Davis	Liddle	Sisson
Baker, C. S.	Deane	Lindsay	Skinner
Beach	Dougherty	McCarthy	Steele
Beates	Duell	McTernan	Strait
Benedict, E. D.	Ellis	Mead	Tallmadge
Benedict, T. E.	Evans	Miller	Terpeny
Bradley	Ferris	Morgan	Terry
Brennan	Fish	Newman	Tozier
Brodsky	Gillette	Nowlan	Travis
Carpenter, E. A.	Gray	Parker	Tully
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Case	Gwinup	Pitcher	Tuttle, R. M.
Catlin	Hagan	Potter	Varnum
Childs	Havens	Potts	Waterbury
Clowes	Hayes	Rhodes	Wells, D. A.
Cohen	Hoffman	Root	Wells, J. L.
Congdon	Howland	Sheridan	Wiley
Cookinham	Ingersoll	Sherman	Wren
Costello	Kennedy	Shuit	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Shuit
Andrews	Davis	McCarthy	Slipp
Baker, B. F.	Duell	McDonald	Sisson
Baker, C. S.	Duguid	McTernan	Skinner
Beach	Evans	Mead	Slingerland
Benedict, E. D.	Ferris	Miller	Strait
Benedict, T. E.	Fish	Mooers	Terpeny
Bradley	Fiske	Morgan	Terry
Brennan	Gillette	Newman	Thilemann
Bridges	Gorsline	Nowlan	Titus
Brodsky	Gray	O'Brien	Tozier
Bullock	Griggs	Parker	Travis
Carpenter, I. S.	Gwinup	Peck	Treanor
Case	Hagan	Phillips	Tully
Catlin	Havens	Pitcher	Tuthill, H. H.
Chamberlain	Hayes	Potter	Tuttle, R. M.
Chase	Hoffman	Potts	Varnum
Childa	Howland	Rhodes	Walsh
Clowes	Hurd	Roberts	Waterbury
Cohen	Ingersoll	Root	Wells, D. A.
Congdon	Kennedy	Sanders	Wells, J. L.
Cookinham	Lefever	Shanley	Wiley
Costello	Liddle	Sheridan	Wren
Cullinan	Lindsay	Sherman	Youngs
Curtis			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' passed April 19, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McDonald	Skinner
Andrews	Deane	McTernan	Slingerland
Baker, B. F.	Duell	Mead	Steele
Baker, C. S.	Duguid	Miller	Strait
Beach	Ellis	Mooers	Tallmadge
Beates	Evans	Morgan	Terpeny
Benedict, E. D.	Ferris	Nowlan	Terry
Bradley	Fish	Parker	Thilemann
Brennan	Gillette	Phillips	Tozier
Bridges	Gray	Pitcher	Travis



Brodsky	Griggs	Potter	Treanor
Carpenter, E. A.	Gwinup	Potts	Tully
Carpenter, I. S.	Hayes	Rhodes	Tuthill, H. H.
Catlin	Hoffman	Roberts	Tuttle, R. M.
Chamberlain	Howland	Root	Varnum
Chase	Hurd	Shanley	Waterbury
Childs	Ingersoll	Sheridan	Wells, D. A.
Congdon	Kennedy	Sherman	Wells, J. L.
Costello	Lefever	Shuit	Wiley
Cullinan	Liddle	Sipp	Wren
Curtis	McCarthy	Sisson	Youngs
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt Fulton county from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sisson
Andrews	Duell	McCabe	Skinner
Baker, B. F.	Duguid	McCarthy	Slingerland
Baker, C. S.	Ellis	McDonald	Steele
Beach	Evans	Mead	Strait
Beates	Ferris	Miller	Tallmadge
Benedict, E. D	Fish	Mooers	Terpeny
Brennan	Gibbs	Morgan	Terry
Bridges	Gillette	Newman	Thilemann
Brodsky	Gray	Nowlan	Tozier
Bullock	Griggs	O'Brien	Travis
Carpenter, E. A.	Gwinup	Parker	Tully
Carpenter, I. S.	Hagan	Pitcher	Tuthill, H. H.
Case	Havens	Potter	Tuttle, R. M.
Catlin	Hayes	Potts	Varnum
Chamberlain	Hoffman	Rhodes	Walsh
Chase	Howland	Root	Waterbury
Clark	Hurd	Shanley	Wells, D. A.
Costello	Husted	Sheridan	Wells, J. L.
Cullinan	Ingersoll	Sherman	Wiley
Curtis	Kennedy	Shuit	Wren
Cushing	Lefever	Sipp	Youngs
Davis	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,



a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

• Those who voted in the affirmative, were

Alvord	Duguid	Miller	Slingerland
Baker, C. S.	Ellis	Mitchell	Steele
Beach	Evans	Mooers	Tallmadge
Beates	Fish	Newman	Terpeny
Benedict, E. D.	Fiske	O'Brien	Terry
Bridges	Gibbs	O'Connor	Thilemann
Brotsky	Gorsline	Peck	Tormey
Bullock	Gray	Phillips	Tozier
Carpenter, I. S.	Gwinup	Pitcher	Treanor
Case	Hagan	Potts	Tully
Chamberlain	Havens	Rhodes	Tuthill, H. H.
Childs	Husted	Roberts	Tuttle, R. M.
Clancy	Ingersoll	Root	Walsh
Clowes	Kennedy	Seeley	Wells, D. A.
Comstock	Lefever	Shanley	Wells, J. L.
Congdon	Lindsay	Sherman	Wiley
Cullinan	McAvoy	Shuit	Wren
Curtis	McCabe	Sipp	Youngs
Davis	McCarthy	Skinner	Mr. Speaker
Deane	McTernan		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Speaker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 628, entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston ;' also, Assembly bill, introductory No. 1112, entitled "An act to issue bonds to pay the principal of bonded indebtedness of Kingston city," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }  
{ NOES 9 }

Those who voted in the affirmative, were

Andrews	Duguid	Low	Steele
Baker, C. S.	Ellis	McAvoy	Strait
Beach	Evans	Miller	Tallmadge
Beates	Ferris	Mooers	Terpeny
Benedict, E. D.	Fish	Morgan	Terry

Benedict, T. E.	Fiske	Newman	Thilemann
Bridges	Gillette	Nowlan	Tozier
Carpenter, E. A.	Griggs	Parker	Treanor
Carpenter, J. S.	Gwinup	Phillips	Tuthill, H. H.
Case	Hagan	Potter	Tuttle, R. M.
Clark	Havens	Potts	Van Valkenburgh
Congdon	Hayes	Rhodes	Varnum
Curtis	Hoffman	Root	Walsh
Cushing	Howland	Sanders	Wells, D. A.
Davis	Husted	Shanley	Wells, J. L.
Deane	Kennedy	Sheridan	Wren
Dougherty	Lefever	Sherman	Mr. Speaker
Duell	Liddle	Skinner	

Those who voted in the negative, were

Alvord	Pitcher	Sipp	Tully
Bennett	Roberts	Slingerland	Youngs
Bradley			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), 'That a respectful message be sent to the Governor requesting the return of Assembly bill No. 564, general orders No. 648, entitled "An act to amend an act to incorporate the city of Lockport."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled 'An act to incorporate the village of Port Jervis, passed March 30, 1866, and all acts relating thereto, and also repealing chapter 461 of the Laws of 1879,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide for the more economical opening of streets, avenues and roads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide a police force for Coney Island and to enforce the various provisions of law to protect the shores of Coney Island and the waters adjacent thereto, and the bay of New York from being made foul or offensive," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Ellis offered for the consideration of the House a resolution in the words following:

*Resolved*. That Assembly bill No. 731, general orders No. 869, en-

titled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled "Of distraining cattle and other chattels doing damage, and of distraining in other cases," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 274, general orders No. 326, entitled "An act for the better preservation of trees and shrubbery on the islands of Lake George," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shuit
Andrews	Deane	Low	Sipp
Baker, B. F.	Dougherty	McAvoy	Skinner
Baker, C. S.	Duell	McCarthy	Slingerland
Beach	Duguid	McDonald	Steele
Beates	Ellis	Mead	Strait
Benedict, E. D.	Evans	Miller	Tallmadge
Bradley	Fish	Mooers	Terpeny
Brennan	Fiske	Morgan	Terry
Bridges	Gillette	Nowlan	Thilemann
Brodsky	Gray	O'Brien	Tozier
Bullock	Griggs	Parker	Travis
Carpenter, E. A.	Gwinup	Phillips	Tully
Carpenter, I. S.	Havens	Pitcher	Tuthill, H. H.
Case	Hayes	Potter	Tuttle, R. M.
Catlin	Hoffman	Rhodes	Van Valkenburgh
Chase	Howland	Roberts	Varnum
Chickering	Hurd	Root	Walsh
Clark	Ingersoll	Sanders	Waterbury
Congdon	Kennedy	Shanley	Wells, D. A.
Cookinham	Lefever	Sheridan	Wells, J. L.
Cullinan	Liddle	Sherman	Wiley
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 751, general orders No. 908, entitled "An act to amend an act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to amend section 3 of chapter 483 of the Laws of 1879, entitled 'An act to regulate the issuance of policies and the reissuance thereof, by fire insurance companies transacting business in this State,' passed June 7, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Senate bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Shuit
Andrews	Davis	Lindsay	Sipp
Baker, B. F.	Deane	Low	Skinner
Baker, C. S.	Duell	McCarthy	Slingerland
Beach	Duguid	Mead	Steele
Beates	Ellis	Miller	Strait
Benedict, E. D.	Evans	Mooers	Tallmadge
Brennan	Ferris	Morgan	Terpeny
Bridges	Fish	Nowlan	Terry
Brodsky	Fiske	O'Brien	Thilemann
Carpenter, E. A.	Gillette	Parker	Tozier
Carpenter, I. S.	Gray	Phillips	Travis
Case	Griggs	Pitcher	Tully
Chamberlain	Gwinup	Potter	Tuthill, H. H.
Chase	Hayes	Potts	Tuttle, R. M.
Childs	Hoffman	Rhodes	Varnum
Clark	Howland	Roberts	Waterbury
Congdon	Hurd	Root	Wells, D. A.
Cookinham	Ingersoll	Shanley	Wells, J. L.
Costello	Kennedy	Sheridan	Wiley
Cullinan	Lefever	Sherman	Youngs
Curtis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dougherty	Liddle	Sanders
Andrews	Duell	Lindsay	Shuit

Baker, B. F.	Ellis	Low	Sipp
Baker, C. S.	Evans	McCarthy	Skinner
Beach	Ferris	McDonald	Slingerland
Beates	Fish	Mead	Strait
Benedict, E. D.	Fiske	Miller	Tallmadge
Bradley	Gillette	Mooers	Terpeny
Brennan	Gray	Morgan	Terry
Bridges	Griggs	Nowlan	Tozier
Brodsky	Gwinup	O'Brien	Travis
Carpenter, E. A.	Hagan	Parker	Tuthill, H. H.
Chase	Havens	Phillips	Tuttle, R. M.
Clowes	Hayes	Pitcher	Warner
Congdon	Hoffman	Potter	Waterbury
Cullinan	Howland	Potts	Wells, D. A.
Curtis	Ingersoll	Rhodes	Wells, J. L.
Cushing	Kennedy	Roberts	Wiley
Davis	Lefever	Root	Youngs
Deane			

Those who voted in the negative, were

Benedict, T. E.     Shanley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid upon the table and ordered printed.

(See Doc. No. 130.)

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Whereas*, This Assembly has been informed of the near approach of the one hundredth birthday of the Honorable Levi Robbins, of Lewis county, who was a member of the Assembly in 1819, and who is, without doubt, the oldest living ex-member of Assembly; therefore,

*Resolved*, That the Assembly of 1880 hereby extends to the Honorable Levi Robbins its hearty congratulations upon the arrival of this interesting event in his honored life, which marks with so much significance the rounding off of a full century of existence, crowned as it is with the consciousness of having done his duty to his State, and having been faithful to his public trusts when our great Commonwealth was just entering upon her career of power and greatness. As he was true to every public obligation reposed in him, may his declining years be filled with pleasant recollections of the great past covered by his long life, and of the notable events which its history embraces, and may every comfort of mind and body be his to the end of his days; also,

*Resolved*, That a copy of this preamble and resolution be engrossed and forwarded to Mr. Robbins.

Mr. Speaker put the question on the adoption of said resolution, and it was adopted unanimously by a rising vote.

Senate bill entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sipp
Beach	Duell	McCarthy	Skinner
Beates	Duguid	McDonald	Slingerland
Benedict, E. D.	Ellis	McTernan	Steele
Benedict, T. E.	Evans	Mead	Strait
Bradley	Ferris	Miller	Tallmadge
Brennan	Fish	Mooers	Terpeny
Bridges	Fiske	Morgan	Terry
Brodsky	Gillette	Newman	Thilemann
Bullock	Gray	Nowlan	Tozier
Carpenter, E. A.	Griggs	O'Brien	Travis
Carpenter, I. S.	Gwinup	Parker	Tuthill, H. H.
Case	Hagan	Peck	Tuttle, R. M.
Catlin	Havens	Phillips	Van Valkenburgh
Chase	Hayes	Potter	Varnum
Chickering	Hoffman	Potts	Warner
Clark	Howland	Rhodes	Waterbury
Clowes	Hurd	Root	Wells, D. A.
Congdon	Ingersoll	Sanders	Wells, J. L.
Cullinan	Kennedy	Seeley	Wiley
Curtis	Lefever	Shanley	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, informing of concurrence in the following resolution:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill entitled "An act to amend an act to incorporate the city of Lockport."

*Ordered*, That the Clerk deliver said resolution to the Governor.

The bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sipp
Beach	Duell	McCarthy	Skinner
Beates	Duguid	McDonald	Slingerland
Benedict, E. D.	Ellis	McTernan	Steele
Bradley	Evans	Mead	Strait
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mooers	Terpeny

Brodsky	Gibbs	Morgan	Terry
Bullock	Gillette	Nowlan	Tozier
Carpenter, E. A.	Gray	O'Brien	Travis
Carpenter, I. S.	Griggs	Parker	Tuthill, H. H.
Case	Gwinup	Peck	Tuttle, R. M.
Catlin	Havens	Phillips	Van Valkenburgh
Chickering	Hayes	Pitcher	Varnum
Childs	Hoffman	Potter	Waterbury
Clark	Howland	Potts	Wells, D. A.
Clowes	Hurd	Rhodes	Wells, J. L.
Comstock	Ingersoll	Root	Wiley
Congdon	Kennedy	Sanders	Wren
Cullinan	Lefever	Shanley	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" passed June 20, 1879, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shuit
Andrews	Cushing	Liddle	Sipp
Baker, B. F.	Davis	McAvoy	Skinner
Baker, C. S.	Deane	McCarthy	Slingerland
Beach	Dougherty	McDonald	Steele
Beates	Duell	Mead	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Benedict, T. E.	Ellis	Mooers	Terpeny
Bennett	Evans	Morgan	Terry
Brennan	Fish	Newman	Tozier
Bridges	Fiske	O'Brien	Travis
Brodsky	Gillette	Parker	Tuthill, H. H.
Bullock	Gray	Peck	Tuttle, R. M.
Carpenter, E. A.	Griggs	Phillips	Van Valkenburgh
Carpenter, I. S.	Gwinup	Pitcher	Varnum
Case	Havens	Potter	Warner
Catlin	Hayes	Potts	Waterbury
Chase	Hoffman	Rhodes	Wells, D. A.
Chickering	Howland	Root	Wells, J. L.
Clark	Hurd	Shanley	Wiley
Clowes	Husted	Sheridan	Wren
Congdon	Ingersoll	Sherman	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received in the words following:

IN SENATE, *April* 30, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend



chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the jurat of the same was changed to two-thirds instead of three-fifths.

And repassed, two-thirds voting in favor thereof, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Andrews	Davis	Lindsay	Sherman
Ash	Deane	Low	Shuit
Baker, B. F.	Dougherty	McAvoy	Sipp
Baker, C. S.	Duell	McCarthy	Skinner
Beach	Duguid	McDonald	Slingerland
Beates	Ellis	McTernan	Steele
Benedict, E. D.	Evans	Mead	Strait
Benedict, T. E.	Ferris	Miller	Tallmadge
Bennett	Fish	Mitchell	Terpeny
Bradley	Fiske	Mooers	Terry
Brennan	Gillette	Morgan	Thilemann
Bridges	Gray	Newman	Tozier
Brodsky	Griggs	Nowlan	Travis
Carpenter, E. A.	Gwinup	O'Brien	Tully
Carpenter, I. S.	Hagan	Parker	Tuthill, H. H.
Case	Havens	Peck	Tuttle, R. M.
Catlin	Hayes	Pitcher	Van Valkenburgh
Chase	Hoffman	Potter	Varnum
Chickering	Howland	Potts	Warner
Childs	Hurd	Rhodes	Waterbury
Clark	Husted	Roberts	Wells, D. A.
Clowes	Ingersoll	Root	Wells, J. L.
Congdon	Kennedy	Sanders	Wiley
Cullinan	Lefever	Shanley	Wren
Curtis			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Shanley
Andrews	Davis	Liddle	Sheridan
Baker, B. F.	Deane	Lindsay	Sherman
Baker, C. S.	Dougherty	Low	Shuit
Beach	Duell	McAvoy	Sipp

Beates	Duguid	McCarthy	Skinner
Benedict, E. D.	Ellis	McDonald	Slingerland
Benedict, T. E.	Evans	McTernan	Steele
Bennett	Ferris	Miller	Strait
Bradley	Fish	Mitchell	Tallmadge
Brennan	Fiske	Mooers	Thilemann
Bridges	Gillette	Morgan	Tozier
Brodsky	Gray	Newman	Travis
Carpenter, E. A.	Griggs	Nowlan	Tully
Carpenter, I. S.	Gwinup	O'Brien	Tuthill, H. H.
Case	Hagan	Parker	Tuttle, R. M.
Catlin	Havens	Peck	Van Valkenburgh
Chase	Hayes	Pitcher	Varnum
Chickering	Hoffman	Potter	Warner
Clark	Howland	Potts	Waterbury
Clowes	Hurd	Rhodes	Wells, D. A.
Congdon	Husted	Roberts	Wiley
Costello	Ingersoll	Root	Wren
Cullinan	Kennedy	Sanders	Youngs
Curtis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES '80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sherman
Andrews	Curtis	Lindsay	Shuit
Baker, B. F.	Cushing	Low	Sipp
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Deane	McCarthy	Slingerland
Beates	Duell	McDonald	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Bradley	Evans	Mitchell	Terry
Brennan	Ferris	Mooers	Tozier
Bridges	Fish	Morgan	Travis
Brodsky	Fiske	Newman	Tully
Carpenter, E. A.	Gray	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gwinup	O'Brien	Van Valkenburgh
Case	Hagan	Peck	Varnum
Catlin	Hayes	Phillips	Waterbury
Chickering	Hoffman	Pitcher	Wells, D. A.
Childs	Howland	Potter	Wells, J. L.
Clark	Husted	Potts	Wiley
Clowes	Ingersoll	Rhodes	Wren
Congdon	Lefever	Root	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on

the 10th and 11th of February, 1880, in raising money for roads and bridges, and authorizing the collection thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McCarthy	Sipp
Andrews	Deane	McDonald	Skinner
Baker, B. F.	Dougherty	Miller	Slingerland
Baker, C. S.	Duell	Mitchell	Steele
Beach	Duguid	Morgan	Strait
Beates	Ellis	Newman	Tallmadge
Benedict, E. D.	Evans	Nowlan	Terry
Bennett	Fish	O'Brien	Tozier
Bradley	Fiske	Parker	Travis
Brennan	Gray	Peck	Tréanor
Bridges	Griggs	Phillips	Tuthill, H. H.
Brodsky	Gwinup	Pitcher	Varnum
Carpenter, E. A.	Hayes	Potts	Walsh
Carpenter, I. S.	Hoffman	Rhodes	Waterbury
Catlin	Husted	Root	Wells, D. A.
Chase	Kennedy	Sanders	Wells, J. L.
Clark	Lefever	Shanley	Wiley
Clowes	Liddle	Sherman	Wren
Congdon	Lindsay	Shuit	Youngs
Curtis	Low		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, and the acts amendatory thereof,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Low	Skinner
Andrews	Duell	McAvoy	Slingerland
Beach	Duguid	Miller	Steele
Beates	Ellis	Mitchell	Strait
Benedict, E. D.	Evans	Mooers	Tallmadge
Benedict, T. E.	Fish	Morgan	Terpeny
Bradley	Fiske	Newman	Terry
Brodsky	Gray	Nowlan	Tozier
Carpenter, E. A.	Griggs	O'Brien	Travis
Carpenter, I. S.	Gwinup	Parker	Tuthill, H. H.
Catlin	Hagan	Peck	Tuttle, R. M.
Chase	Havens	Pitcher	Van Valkenburgh
Chickering	Hayes	Potter	Varnum
Clark	Hoffman	Potts	Waterbury

Clowes	Howland	Rhodes	Wells, D. A.
Congdon	Husted	Root	Wells, J. L.
Curtis	Kennedy	Shanley	Wiley
Cushing	Lefever	Sherman	Wren
Davis	Liddle	Shuit	Youngs
Deane	Lindsay	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shuit
Andrews	Deane	Lindsay	Sipp
Beach	Dougherty	Low	Skinner
Beates	Duell	McAvoy	Slingerland
Benedict, E. D.	Duguid	McCarthy	Strait
Benedict, T. E.	Ellis	McDonald	Tallmadge
Bradley	Fish	McTernan	Terpeny
Brennan	Fiske	Newman	Terry
Bridges	Gray	O'Brien	Tozier
Brodsky	Griggs	Peck	Travis
Carpenter, E. A.	Gwinup	Pitcher	Tully
Carpenter, I. S.	Hagan	Potter	Tuttle, R. M.
Case	Havens	Potts	Van Valkenburgh
Catlin	Hayes	Rhodes	Varnum
Chickering	Hoffman	Root	Waterbury
Clark	Hurd	Sanders	Wells, J. L.
Clowes	Husted	Shanley	Wiley
Congdon	Kennedy	Sheridan	Wren
Curtis	Lefever	Sherman	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the German Masonic Temple Association of the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll.	Sanders
Andrews	Cushing	Kennedy	Shanley
Baker, C. S.	Davis	Lefever	Sherman
Beach	Deane	Liddle	Sipp
Beates	Dougherty	Lindsay	Skinner
Benedict, E. D.	Duell	Low	Slingerland
Benedict, T. E.	Duguid	McAvoy	Strait
Bradley	Ellis	McCarthy	Tallmadge

Bridges	Evans	McDonald	Terpeny
Brodsky	Ferris	McTernan	Terry
Carpenter, E. A.	Fish	Newman	Tozier
Carpenter, I. S.	Fiske	Nowlan	Travis
Case	Gray	O'Brien	Tully
Catlin	Griggs	Parker	Van Valkenburgh
Chickering	Gwinup	Peck	Varnum
Clark	Hagan	Phillips	Walsh
Clowes	Hayes	Pitcher	Wells, J. L.
Congdon	Hoffman	Rhodes	Wren
Cookinham	Hurd	Root	Youngs
Cullinan	Husted		

Those who voted in the negative, were  
Potts

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sharpe (introductory No. 811), entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. D. Benedict introduced a bill entitled "An act to secure to inmates of reformatory institutions freedom of worship," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

The bill entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Skinner
Andrews	Deane	McAvoy	Slingerland
Beach	Duell	McCarthy	Strait
Beates	Duguid	McTernan	Tallmadge
Benedict, E. D.	Ellis	Mead	Terpeny
Benedict, T. E.	Evans	Mitchell	Terry
Bradley	Fish	Morgan	Tozier
Brodsky	Gray	Nowlan	Travis
Carpenter, E. A.	Gwinup	Parker	Tuthill, H. H.
Carpenter, I. S.	Hagan	Peck	Van Valkenburgh
Case	Hayes	Pitcher	Varnum
Chamberlain	Hoffman	Potts	Walsh
Chickering	Hurd	Rhodes	Wells, J. L.
Clark	Ingersoll	Root	Wiley
Clowes	Kennedy	Sanders	Wren
Congdon	Lelever	Shanley	Youngs
Cullinan	Liddle	Sipp	Mr. Speaker
Curtis	Lindsay		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill entitled "An act relative to annual town meetings in the town of Esopus," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cowles offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 747, general orders No. 903, entitled "An act in relation to unpaid taxes and water assessments in Long Island City," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 472, entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and at twelve o'clock and fifty-five minutes, the House adjourned.

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## MONDAY. EVENING, MAY 3, 1880.

The House met pursuant to adjournment.

Prayer by Rev. D. L. Schwartz.

The journal of Friday was read and approved.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act conferring upon the board of Canal Appraisers the power to allow amendments to claims," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sisson
Andrews	Cullinan	Lindsay	Skinner
Baker, C. S.	Cushing	Low	Slingerland
Beach	Davis	McCabe	Steele
Beates	Deane	McCarthy	Strait
Benedict, E. D.	Duell	Mead	Tallmadge
Benedict, T. E.	Ferris	Miller	Terpeny
Bennett	Fish	Mooers	Terry
Bridges	Fiske	Parker	Thilemann
Brotsky	Gorsline	Peck	Tozier
Carpenter, I. S.	Gray	Phillips	Travis
Case	Griggs	Potts	Tuthill, H. H.
Catlin	Hagan	Russell	Van Valkenburgh
Chamberlain	Havens	Sanders	Walsh
Chase	Hayes	Seeley	Waterbury
Chickering	Howland	Shanley	Wells, J. L.
Childs	Hurd	Sheridan	Weston
Clark	Husted	Sherman	Wren
Clowes	Ingersoll	Shuit	Youngs
Comstock	Kennedy	Sipp	Mr. Speaker
Cookinham	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Van Valkenburgh called from the table the report of the sub-committee of the whole as found in Assembly Documents 130, 131 and 132, in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 379, printed No. 117, entitled "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 783, printed No. 195, entitled "An act to incorporate the Temple Beth Zion of Buffalo, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 579, printed No. 29, entitled "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 756, printed No. 190, entitled "An act to provide for the reporting of appointments to the benevolent institutions of the State," reported in favor of the passage of the same, with amendments as follows:

To add at the end of section six the following: "To which he is required to make such report;" strike out section nine, and insert in lieu thereof the following:

§ 9. Nothing in this act contained shall be held to apply to the county of Kings.

Change section "nine" to section "ten;" also to amend the title by adding at the end the following: "Excepting the county of Kings."



Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 494, printed No. 448, entitled "An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 680, printed No. 594, entitled "An act to amend section twenty-seven, article two, title two, chapter one, part four of the Revised Statutes of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 771, printed No. 657, entitled "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York," reported in favor of the passage of the same, with an amendment as follows :

Section one, line one, change "Wm." to "William."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 657, printed No. 573, entitled "An act to amend section two of chapter four hundred and five of the Laws of eighteen hundred and seventy-nine, entitled 'An act to amend sections two and ten of chapter two hundred and forty eight of the Laws of eighteen hundred and seventy-eight,' " reported in favor of the passage of the same, with amendments as follows :

Section one, line eight, strike out the word "second."

Line ten, strike out the word "ten," also words "in the forenoon, also the word "two."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 371, printed No. 400, entitled "An act for the incorporation of mutual tontine annuity societies," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 614, printed No. 539, entitled "An act to incorporate the Bachelor Club of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 760, printed No. 651, entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and sixty-four, entitled 'An act in relation to the performance of highway labor in Queens county,' " reported in favor of the passage of the same, with amendments as follows :

Strike out section seventeen and insert in lieu thereof the following:

SECTION 17. One of the members of said board of highway commissioners shall act as secretary of said board, and shall receive therefor compensation not to exceed, in amount, the sum of two hundred dollars in any one year."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 603, printed No. 531, entitled "An act amending subdivision seven, chapter four hundred and forty-eight of the Laws of eighteen hundred and seventy-six, commonly known as the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 747, printed No. 645, entitled "An act to

secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 486, printed No. 440, entitled "An act for relief of Isaac Piser," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 511, printed No. 120, entitled "An act to enforce the assessments of shareholders in banking associations to make good a deficit in capital," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 787, printed No. 92, entitled "An act to change the name of, and in relation to, the Association for Befriending Children," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill Int. 616, G. O. 919, not printed, entitled "An act to amend chapter two hundred and seventeen of the Laws of eighteen hundred and seventy-five, entitled 'An act relative to the Farmers' Loan and Trust Company,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1052, G. O. 934, not printed, entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1109, G. O. 914, not printed, entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 822, printed No. 694, entitled "An act to amend section five of article one, title two, chapter eleven of part one of the Revised Statutes, relating to town meetings," reported in favor of the passage of the same, with an amendment as follows:

To add at the end of section thirteen the following:

"But no moneys shall be so raised for the maintenance and support of fire companies in any incorporated village of such town."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 887, printed No. 741, entitled "An act to further amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April twenty-third, eighteen hundred and sixty-two, and to create a short bar to actions arising under said act,' passed May ninth, eighteen hundred and sixty-seven," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out, in the first line, the word "fur-

ther," also the words "an act where the same appear first, and inserting after the first word "amend" the words "chapter four hundred and twenty-four of the Laws of eighteen hundred and sixty-nine."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 715, printed No. 622, entitled "An act to vest in the board of supervisors certain additional powers," reported in favor of the passage of the same, with amendments as follows:

To add as section two the following :

Section 2. Nothing in this act shall affect the counties of Erie, Niagara, Monroe, Otsego, Jefferson, Ontario, Tioga, Suffolk, Oneida or Albany."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 861, printed No. 723, entitled "An act to authorize summary proceedings by mandamus against common carriers" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 776, printed No. 662, entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Mr. Speaker presented a list of bills as selected by the Speaker and Clerk, and referred to the sub-committee of the whole; which was laid on the table and ordered printed.

No. 703, G. O. 831, Mr. Lindsay: "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county."

No. 739, G. O. 885, Mr. Clowes: "An act in relation to assessments for taxes in Long Island City."

No. 680, G. O. 801, Mr. Clowes: "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties.'"

No. 746, G. O. 900, Mr. Russell: "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased."

No. 731, G. O. 869, Mr. Ellis: "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases.'"

No. 591, G. O. 676, Mr. Chickering: "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages."

No. 721, G. O. 859, Mr. Evans: "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca."

No. 689, G. O. 812, Mr. Russell: "An act to amend 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876."

No. 747, G. O. 903, Mr. Youngs: "An act in relation to unpaid taxes and water assessments in Long Island City."

No. 722, G. O. 860, Mr. Travis: "An act to amend chapter 332 of the Laws of 1873, entitled 'An act to amend chapter 610 of Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester.'"

No. 535, G. O. 607, Mr. Russell: "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

No. 537, G. O. 611, Mr. Terry: "An act to encourage improvement in steam propulsion upon the Champlain canal."

No. 725, G. O. 865, Mr. Nowlan: "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego, passed April 17, 1862.'"

No. 696, G. O. 824, Mr. Sharpe: "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

No. 711, G. O. 847, Mr. Sharpe: "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

No. 690, G. O. 813, Mr. Cohen: "An act to incorporate the Friendship Association of the city of New York."

No. 720, G. O. 858, Mr. Treanor: "An act for the protection of sureties on the bonds of contractors with municipal corporations."

No. 719, G. O. 857, Mr. Bradley: "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

No. 538, G. O. 612, Mr. Mead: "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

No. 665, G. O. 779, Mr. Mitchell: "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes."

No. 685, G. O. 808, Mr. Husted: "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,' passed May 9, 1868."

No. 704, G. O. 832, Mr. O'Connor: "An act to incorporate the 'Empire Yacht Club' of the city of New York."

Senate bill No. 233, G. O. 881, Mr. Astor: "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879.'"

Senate bill No. 203, G. O. 654, Mr. Mills: "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof.'"

Senate bill No. 250, G. O. 839, Mr. Schroeder: "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers,

or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York.' ”

Senate bill No. 177, G. O. 695, Mr. Pitts: “An act to provide for the formation of county co-operative insurance companies.”

Senate bill No. 177, G. O. 765, Mr. Pitts: “An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto.”

Senate bill No. 119, G. O. 864, Mr. Schroeder: “An act to allow the continued use of a business name or designation in certain cases.”

Senate bill No. 183, G. O. 871, Mr. Jacobs: “An act to amend chapter 280 of the Laws of 1847, entitled ‘An act in relation to the judiciary.’ ”

Senate bill No. 145, G. O. 526, Mr. Woodin: “An act to amend chapter 524 of the Laws of 1853, entitled ‘An act to amend an act entitled ‘An act to incorporate the Montezuma Turnpike and Bridge Company.’ ”

Mr. Husted moved to recommit Senate bill entitled “An act to protect the holders of casualty insurance policies, and to prevent the use of fictitious or deceptive names by individuals or corporations doing such insurance,” to the committee on insurance, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner moved to reconsider the vote by which said motion of Mr. Husted was carried.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting him to return Assembly bill No. 243, entitled “An act repealing certain acts and parts of acts,” for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

“An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

“An act to amend chapter 123 of the Laws of 1854, entitled ‘An act to promote medical science,’ ” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

“An act to enable marine insurance companies incorporated under the laws of this State to amend their charter,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

“An act to amend chapter 440 of the Laws of 1876, entitled ‘An act

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Baker, B. F.	Cushing	Lindsay	Sisson
Baker, C. S.	Davis	Low	Skinner
Beach	Deane	McCabe	Slingerland
Beates	Duell	McCarthy	Steele
Benedict, E. D.	Ferris	Mead	Tallmadge
Benedict, T. E.	Fish	Miller	Terpeny
Bennett	Fiske	Mooers	Terry
Bridges	Gorsline	Nowlan	Thilemann
Brodsky	Gray	Parker	Tozier
Carpenter, I. S.	Griggs	Peck	Travis
Case	Gwinup	Phillips	Tuthill, H. H.
Catlin	Hagan	Potter	Van Valkenburgh
Chamberlain	Havens	Potts	Walsh
Chickering	Hayes	Rhodes	Waterbury
Clancy	Howland	Russell	Wells, J. L.
Clark	Hurd	Seeley	Weston
Clowes	Husted	Shanley	Wren
Comstock	Ingersoll	Sheridan	Youngs
Cookinham	Kennedy	Sherman	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 868, Laws of 1872, entitled 'An act to incorporate the United States Loan and Security Company,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Duell	McCabe	Slingerland
Beates	Ferris	McCarthy	Steele
Benedict, E. D.	Fish	Mead	Tallmadge
Benedict, T. E.	Fiske	Miller	Terpeny
Bridges	Gorsline	Mooers	Terry
Brodsky	Gray	Peck	Thilemann
Carpenter, I. S.	Griggs	Phillips	Tozier
Case	Gwinup	Potter	Travis
Catlin	Hagan	Potts	Treanor
Chamberlain	Havens	Rhodes	Tuthill, H. H.
Childs	Hayes	Russell	Van Valkenburgh
Clancy	Howland	Sanders	Walsh
Clark	Hurd	Seeley	Waterbury
Clowes	Husted	Shanley	Wells, J. L.



Comstock	Ingersoll,	Sheridan	Weston
Cookinham	Kennedy	Sherman	Wren
Crapser	Lefever	Shuit	Youngs
Cullinan	Liddle	Sipp	Mr. Speaker
Cushing			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties,'" being announced for a third reading,

Mr. Case moved to recommit said bill to the committee on affairs of villages, with instructions to amend the same in words following, and report forthwith:

Strike out all after the word "duties" in line 9, section 15, down to and including the word "fees" in line 18, same section; also, in line 18, same section, strike out the words "or deputy sheriffs so designated."

Section 18, line 5, strike out the word "designated."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sanders, from the committee on affairs of villages, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sipp
Andrews	Cullinan	Lindsay	Sisson
Baker, C. S.	Davis	Low	Skinner
Beach	Deane	McCabe	Slingerland
Beates	Duell	McCarthy	Steele
Benedict, E. D.	Ferris	Mead	Tallmadge
Benedict, T. E.	Fish	Miller	Terpeny
Bennett	Fiske	Mooers	Terry
Bridges	Gorsline	Parker	Thilemann
Brodsky	Gray	Peck	Tozier
Carpenter, I. S.	Griggs	Phillips	Travis
Case	Gwinup	Potter	Treanor
Catlin	Hagan	Potts	Tuthill, H. H.
Chamberlain	Havens	Rhodes	Van Valkenburgh
Chickering	Hayes	Russell	Waterbury
Childs	Howland	Sanders	Wells, J. L.
Clancy	Hurd	Seeley	Weston
Clark	Husted	Shanley	Wren
Clowes	Ingersoll	Sheridan	Youngs
Comstock	Kennedy	Sherman	Mr. Speaker
Cookinham	Lefever	Shuit	

Those who voted in the negative, were

Walsh



*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 756, entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" be committed to the committee on affairs of villages, for amendment, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sipp
Andrews	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Duell	McCabe	Slingerland
Beates	Ferris	McCarthy	Steele
Benedict, E. D.	Fish	Mead	Strait
Benedict, T. E.	Fiske	Miller	Tallmadge
Bennett	Gorsline	Mooers	Terpeny
Bridges	Gray	Parker	Terry
Brodsky	Griggs	Peck	Thilemann
Carpenter, I. S.	Grosse	Phillips	Tozier
Case	Gwinup	Potter	Travis
Catlin	Hagan	Potts	Tuthill, H. H.
Chamberlain	Havens	Rhodes	Van Valkenburgh
Chickering	Hayes	Russell	Walsh
Childs	Howland	Sanders	Waterbury
Clark	Hurd	Seeley	Wells, J. B.
Clowes	Husted	Shanley	Weston
Comstock	Ingersoll	Sheridan	Wren
Cookinham	Kennedy	Sherman	Youngs
Crapser	Lefever	Shuit	Mr. Speaker
Cullinan			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to permit the admission of persons not paupers into the asylums of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sipp
Baker, C. S.	Davis	Liddle	Sisson
Beach	Deane	Lindsay	Skinner
Beates	Duell	Low	Slingerland
Benedict, E. D.	Ferris	McCabe	Steele
Benedict, T. E.	Fish	McCarthy	Tallmadge
Bennett	Fiske	Miller	Terpeny
Bridges	Gorsline	Mooers	Terry
Brotsky	Gray	Parker	Thilemann
Carpenter, I. S.	Griggs	Peck	Tozier
Case	Grosse	Phillips	Travis
Catlin	Gwinup	Potter	Tuthill, H. H.
Chamberlain	Hagan	Potts	Tuttle, R. M.
Childs	Havens	Russell	Van Valkenburgh
Clark	Hayes	Sanders	Walsh
Clowes	Howland	Seeley	Waterbury
Comstock	Hurd	Shanley	Wells, J. L.
Cookinham	Husted	Sheridan	Weston
Crapser	Ingersoll	Sherman	Wren
Cullinan	Kennedy	Shuit	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to revise, amend and consolidate the several acts in relation to the incorporation of the village of New Brighton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Shuit
Andrews	Davis	Liddle	Sipp
Baker, C. S.	Deane	Lindsay	Sisson
Beach	Duell	Low	Skinner
Beates	Ferris	Mead	Slingerland
Benedict, E. D.	Fish	Miller	Steele
Bridges	Fiske	Mooers	Tallmadge
Brotsky	Gorsline]	Nowlan	Terpeny
Carpenter, I. S.	Gray	Peck	Terry
Case	Griggs	Phillips	Thilemann
Catlin	Gwinup	Potter	Tozier
Chamberlain	Hagan	Potts	Travis
Chickering	Hayes	Russell	Tuthill, H. H.
Childs	Howland	Sanders	Tuttle, R. M.
Clancy	Hurd	Seeley	Van Valkenburgh
Clark	Husted	Shanley	Wells, J. L.
Clowes	Ingersoll	Sheridan	Wren
Cookinham	Kennedy	Sherman	Youngs
Cullinan			

Those who voted in the negative, were

Benedict, T. E.	Havens	Walsh	Waterbury
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services, and to repeal chapter 597 of the Laws of 1870, amendatory of said act,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sisson
Andrews	Deane	McCarthy	Skinner
Baker, C. S.	Duell	Mead	Slingerland
Beach	Ferris	Miller	Steele
Beates	Fish	Mooers	Tallmadge
Benedict, E. D.	Fiske	Nowlan	Terpeny
Benedict, T. E.	Gorsline	Parker	Terry
Bridges	Gray	Peck	Thilemann
Brodsky	Griggs	Phillips	Tozier
Carpenter, I. S.	Gwinup	Potter	Travis
Case	Hagan	Potts	Treanor
Catlin	Hayes	Rhodes	Tuthill, H. H.
Chamberlain	Howland	Russell	Tuttle, R. M.
Chickering	Hurd	Sanders	Walsh
Childs	Husted	Seeley	Waterbury
Clark	Ingersoll	Shanley	Wells, J. L.
Clowes	Kennedy	Sheridan	Weston
Cookinham	Lefever	Sherman	Wren
Crapser	Liddle	Shuit	Youngs
Cullinan	Lindsay	Sipp	Mr. Speaker
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to vest certain powers in the president of the Kingston board of education and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sipp
Andrews	Deane	Low	Sisson
Baker, C. S.	Duell	McCabe	Skinner

Beach	Ferris	McCarthy	Slingerland
Beates	Fish	Mead	Tallmadge
Benedict, E. D.	Fiske	Miller	Terpeny
Benedict, T. E.	Gorsline	Mooers	Terry
Bridges	Gray	Nowlan	Thilemann
Brodsky	Griggs	Parker	Tozier
Carpenter, I. S.	Grosse	Peck	Travis
Case	Hagan	Phillips	Treanor
Catlin	Havens	Potter	Tuthill, H. H.
Chamberlain	Hayes	Potts	Tuttle, R. M.
Chickering	Howland	Rhodes	Walsh
Childs	Hurd	Russell	Waterbury
Clark	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Weston
Cookinham	Kennedy	Shanley	Wren
Crapser	Lefever	Sherman	Youngs
Cullinan	Liddle	Shuit	Mr. Speaker
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to provide for the improvement of Steinway avenue, in Long Island City.”

“An act to amend section 1 of chapter 466 of the Laws of 1853, entitled ‘An act to provide for the incorporation of fire insurance companies.’”

“An act to amend chapter 647 of the Laws of 1865, entitled ‘An act to amend an act entitled ‘An act to revise and consolidate the general acts relating to public instruction, passed May 2, 1864.’”

“An act to provide for the protection of mechanics and others.”

“An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto.”

“An act to amend chapter 509 of the Laws of 1868, entitled ‘An act to incorporate the Chateaugay Water Works Company.’”

“An act to regulate the dimensions and measurement of apple barrels.”

“An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof.”

“An act to amend chapter 486 of the Laws of 1855, entitled ‘An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections.’”

“An act to amend chapter 863 of the Laws of 1873, entitled ‘An act to amend the charter of the city of Brooklyn and the various amendments thereof.’”

“An act to establish a cemetery in the town of Long Lake, Hamilton county.”

“An act to amend chapter 409 of the Laws of 1879, entitled ‘An act to extend the time for the organization of the Centennial Insurance Company of New York.’”

The bill entitled “An act to amend chapter 50 of the Laws of 1848,

entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shuit
Andrews	Deane	Low	Sipp
Baker, C. S.	Duell	McCabe	Sissor
Beach	Ferris	McCarthy	Skinner
Beates	Fish	Mead	Slingerland
Benedict, E. D.	Fiske	Miller	Steele
Benedict, T. E.	Gorsline	Mooers	Tallmadge
Bridges	Gray	Nowlan	Terpeny
Brodsky	Griggs	Parker	Thilemann
Carpenter, I. S.	Grosse	Peck	Tozier
Case	Gwinup	Phillips	Travis
Catlin	Hagan	Potter	Treanor
Chamberlain	Havens	Potts	Tuthill, H. H.
Chickering	Hayes	Rhodes	Tuttle, R. M.
Childs	Howland	Russell	Walsh
Clark	Hurd	Sanders	Waterbury
Clowes	Husted	Seeley	Wells, J. L.
Cookinham	Ingersoll	Shanley	Weston
Crapser	Kennedy	Sheridan	Wren
Cullinan	Lefever	Sherman	Youngs
Cushing	Liddle		

*Ordered.* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sipp
Andrews	Cushing	Liddle	Sisson
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Deane	Low	Slingerland
Beates	Duell	McCabe	Steele
Benedict, E. D.	Ferris	Mead	Tallmadge
Benedict, T. E.	Fish	Miller	Terpeny
Bridges	Fiske	Mooers	Tozier
Brodsky	Gorsline	Nowlan	Travis
Carpenter, I. S. }	Gray	Parker	Treanor
Case	Griggs	Peck	Tuthill, H. H.
Catlin	Grosse	Phillips	Tuttle, R. M.
Chamberlain	Hagan	Potts	Walsh

Chickering	Havens	Rhodes	Waterbury
Childs	Hayes	Russell	Wells, J. L.
Clark	Howland	Seeley	Weston
Clowes	Hurd	Shanley	Wren
Cookinham	Husted	Sheridan	Youngs
Crapser	Ingersoll	Sherman	Mr. Speaker
Cullinan	Kennedy	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of farmers and market gardeners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }  
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Shanley
Andrews	Crapser	Husted	Sheridan
Baker, C. S.	Cullinan	Ingersoll	Shuit
Beach	Curtis	Kennedy	Sipp
Beates	Cushing	Lefever	Slingerland
Benedict, E. D.	Deane	Liddle	Steele
Benedict, T. E.	Ferris	Lindsay	Tallmadge
Brodsky	Fish	Low	Terpeny
Carpenter, I. S.	Fiske	McCarthy	Tozier
Case	Gorsline	Mead	Travis
Chamberlain	Gray	Miller	Waterbury
Chickering	Griggs	Peck	Wells, J. L.
Childs	Grosse	Phillips	Weston
Clark	Hagan	Russell	Youngs
Clowes	Hayes	Seeley	

Those who voted in the negative, were

Bridges	McCabe	Rhodes	Thilemann
Davis	Mooers	Sherman	Tuttle, R. M.
Gwinup	Nowlan	Sisson	Walsh
Havens	Parker	Skinner	Mr. Speaker
Hurd	Potts	Terry	

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shuit
Andrews	Cushing	Lindsay	Sipp

entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shuit
Andrews	Deane	Low	Sipp
Baker, C. S.	Duell	McCabe	Sissor.
Beach	Ferris	McCarthy	Skinner
Beates	Fish	Mead	Slingerland
Benedict, E. D.	Fiske	Miller	Steele
Benedict, T. E.	Gorsline	Mooers	Tallmadge
Bridges	Gray	Nowlan	Terpeny
Brodsky	Griggs	Parker	Thilemann
Carpenter, I. S.	Grosse	Peck	Tozier
Case	Gwinup	Phillips	Travis
Catlin	Hagan	Potter	Treanor
Chamberlain	Havens	Potts	Tuthill, H. H.
Chickering	Hayes	Rhodes	Tuttle, R. M.
Childs	Howland	Russell	Walsh
Clark	Hurd	Sanders	Waterbury
Clowes	Husted	Seeley	Wells, J. L.
Cookinham	Ingersoll	Shanley	Weston
Crapser	Kennedy	Sheridan	Wren
Cullinan	Lefever	Sherman	Youngs
Cushing	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sipp
Andrews	Cushing	Liddle	Sisson
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Deane	Low	Slingerland
Beates	Duell	McCabe	Steele
Benedict, E. D.	Ferris	Mead	Tallmadge
Benedict, T. E.	Fish	Miller	Terpeny
Bridges	Fiske	Mooers	Tozier
Brodsky	Gorsline	Nowlan	Travis
Carpenter, I. S. }	Gray	Parker	Treanor
Case	Griggs	Peck	Tuthill, H. H.
Catlin	Grosse	Phillips	Tuttle, R. M.
Chamberlain	Hagan	Potts	Walsh



Chickering	Havens	Rhodes	Waterbury
Childs	Hayes	Russell	Wells, J. L.
Clark	Howland	Seeley	Weston
Clowes	Hurd	Shanley	Wren
Cookinham	Husted	Sheridan	Youngs
Crapser	Ingersoll	Sherman	Mr. Speaker
Cullinan	Kennedy	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of farmers and market gardeners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }  
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Shanley
Andrews	Crapser	Husted	Sheridan
Baker, C. S.	Cullinan	Ingersoll	Shuit
Beach	Curtis	Kennedy	Sipp
Beates	Cushing	Lefever	Slingerland
Benedict, E. D.	Deane	Liddle	Steele
Benedict, T. E.	Ferris	Lindsay	Tallmadge
Brodsky	Fish	Low	Terpeny
Carpenter, I. S.	Fiske	McCarthy	Tozier
Case	Gorsline	Mead	Travis
Chamberlain	Gray	Miller	Waterbury
Chickering	Griggs	Peck	Wells, J. L.
Childs	Grosse	Phillips	Weston
Clark	Hagan	Russell	Youngs
Clowes	Hayes	Seeley	

Those who voted in the negative, were

Bridges	McCabe	Rhodes	Thilemann
Davis	Mooers	Sherman	Tuttle, R. M.
Gwinup	Nowlan	Sisson	Walsh
Havens	Parker	Skinner	Mr. Speaker
Hurd	Potts	Terry	

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shuit
Andrews	Cushing	Lindsay	Sipp

Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McCabe	Skinner
Beates	Ferris	McCarthy	Slingerland
Benedict, E. D.	Fish	Mead	Steele
Benedict, T. E.	Fiske	Miller	Tallmadge
Bridges	Gorsline	Mooers	Terpeny
Brotsky	Gray	Nowlan	Terry
Carpenter, I. S.	Griggs	Parker	Thilemann
Case	Grosse	Phillips	Tozier
Catlin	Gwinup	Potts	Travis
Chamberlain	Hagan	Rhodes	Tuthill, H. H.
Chickering	Havens	Russell	Tuttle, R. M.
Childs	Hayes	Sanders	Walsh
Clark	Hurd	Seeley	Waterbury
Clowes	Husted	Shanley	Wells, J. L.
Cookinham	Ingersoll	Sheridan	Wren
Crapser	Kennedy	Sherman	Mr. Speaker
Cullinan	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 792 of the Laws of 1866, entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sheridan
Andrews	Curtis	Kennedy	Sherman
Baker, C. S.	Cushing	Lefever	Shuit
Beach	Davis	Liddle	Sipp
Beates	Deane	Lindsay	Sisson
Benedict, E. D.	Duell	Low	Skinner
Benedict, T. E.	Ferris	McCabe	Steele
Bennett	Fish	McCarthy	Tallmadge
Bridges	Fiske	Mead	Terpeny
Brotsky	Gorsline	Miller	Terry
Carpenter, I. S.	Gray	Mooers	Tozier
Case	Griggs	Nowlan	Travis
Catlin	Grosse	Parker	Tuthill, H. H.
Chamberlain	Gwinup	Phillips	Tuttle, R. M.
Chickering	Hagan	Potts	Walsh
Childs	Havens	Rhodes	Waterbury
Clark	Hayes	Russell	Weston
Clowes	Howland	Sanders	Wren
Cookinham	Hurd	Seeley	Mr. Speaker
Crapser	Husted	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Shuit
Andrews	Cushing	Lefever	Sipp
Baker, C. S.	Davis	Liddle	Sisson
Beach	Deane	Lindsay	Skinner
Beates	Duell	Low	Slingerland
Benedict, E. D.	Ferris	McCabe	Steele
Benedict, T. E.	Fish	McCarthy	Tallmadge
Bennett	Fiske	Mead	Terpeny
Bridges	Gorsline	Miller	Terry
Brotsky	Gray	Mooers	Thilemann
Carpenter, I. S.	Griggs	Nowlan	Tozier
Case	Grosse	Parker	Travis
Catlin	Gwinup	Phillips	Tuthill, H. H.
Chamberlain	Hagan	Potts	Tuttle, R. M.
Chickering	Havens	Rhodes	Walsh
Clancy	Hayes	Russell	Waterbury
Clark	Howland	Sanders	Wells, J. L.
Clowes	Hurd	Shanley	Weston
Cookinham	Husted	Sheridan	Wren
Crapser	Ingersoll	Sherman	Mr. Speaker
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Liddle, and by unanimous consent, Senate bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same,' " was ordered to a third reading.

On motion of Mr. Alvord, and at 10 o'clock, the House adjourned.

## TUESDAY MORNING, MAY 4, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Dexter, Coxsackie.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians."

"An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton."

"An act to provide for the dissolution of union free school districts in certain cases."

"An act to incorporate the board of trustees of the fire department of the city of Troy."

“An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund.”

“An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor’s, Bedloe’s, Ellis’ and David’s Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler.”

“An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer.”

“An act to amend chapter 271 of the Laws of 1834, entitled ‘An act for establishing a justices’ court in the city of Troy, and the several acts amendatory thereof and supplemental thereto, and, also, to amend chapter 56 of the Laws of 1848, entitled ‘An act to provide for the election of the justices and the clerk of the justices’ court in and for the city of Troy, and the appointment of a marshal, and the several acts amendatory thereof and supplemental thereto, and, also, to amend chapter eighteen of the Laws of 1876, entitled ‘An act in relation to the police court and justices’ court of the city of Troy.’”

“An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county.”

“An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town and used to secure to said town the use of the Otsego county courthouse building for town hall purposes.”

“An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property.”

“An act to authorize the Comptroller to admit the unpaid taxes of the year 1879, assessed upon lands in the several counties of the State which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale.”

“An act to amend an act entitled ‘An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.’”

“An act to incorporate the fire department of the village of Waterloo.”

“An act to amend chapter 7 of the Laws of 1867, entitled ‘An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes.’”

“An act to amend chapter 376 of the Laws of 1876, as amended by chapter 456 of the Laws of 1879, entitled ‘An act to prevent the deposit of mud, earth, soil, ashes, or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof.’”

“An act to revive the Gypsum Cemetery Association in Ontario county.”

“An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank road, in the county of Erie, and contracting said road.”

“An act to amend chapter 121 of the Laws of 1835, entitled ‘An act to incorporate the Young Men’s Association.’”

“An act to amend chapter 360 of the Laws of 1867, entitled ‘An act to amend and consolidate the several acts in relation to the village of Rhinebeck.’”

"An act to amend an act entitled 'An act to incorporate the village of Coxsackie, passed April 5, 1867.'"

"An act to release the interest of the People of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow."

"An act to regulate voting in the Western New York Agricultural Society."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the following resolution :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 243, entitled "An act repealing certain acts and parts of acts," for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bill :

"An act conferring on the Board of Canal Appraisers the power to allow amendments to claims."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a communication from the board of fire commissioners of the city of New York, in reference to a resolution adopted by the Assembly; which was read and referred to the committee on affairs of cities.

Privileges of the floor were granted to Hon. Knox McAfee, a former member of this House.

Mr. Miller offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill, printed No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877,' " for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills. •

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shuit
Andrews	Costello	Liddle	Sipp
Baker, C. S.	Crapser	Lindsay	Sisson
Beach	Cullinan	Low	Skinner

Beates	Davis	McCabe	Slingerland
Benedict, E. D.	Douglass	Miller <sup>1</sup>	Steele
Bradley	Duell	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terpeny
Brodsky	Evans	Newman	Terry
Bullock	Fish	Nowlan	Titus
Carpenter, E. A.	Fiske	O'Connor	Tormey
Carpenter, I. S.	Fitzgerald	Parker	Tozier
Case	Gorsline	Peck	Travis
Chamberlain	Gray	Phillips	Tully
Chase	Griggs	Potts	Tuthill, H. H.
Chickering	Gwinup	Rhodes	Waterbury
Childs	Havens	Root	Wells, J. L.
Clark	Hoffman	Seeley	Weston
Clowes	Howland	Sheridan	Wren
Cohen	Hurd	Sherman	Youngs
Congdon	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the Superintendent of the Banking Department to return the securities held by him to secure such circulation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sipp
Andrews	Costello	Liddle	Sisson
Beach	Cullinan	Lindsay	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Douglass	McCabe	Steele
Benedict, T. E.	Duell	McCarthy	Strait
Bradley	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brodsky	Fish	Mooers	Terry
Bullock	Fiske	Nowlan	Thilemann
Carpenter, E. A.	Fitzgerald	Parker	Titus
Carpenter, I. S.	Gorsline	Peck	Tozier
Catlin	Gray	Phillips	Tully
Chamberlain	Griggs	Potts	Tuthill, H. H.
Chase	Hagan	Rhodes	Waterbury
Chickering	Hoffman	Root	Wells, J. L.
Childs	Howland	Sanders	Weston
Clowes	Hurd	Seeley	Wren
Cohen	Ingersoll	Sherman	Youngs
Congdon	Kennedy	Shuit	

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the National Guard Mu-

tual Relief Association of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sipp
Beach	Cushing	Lindsay	Sisson
Beates	Douglass	Low	Skinner
Benedict, E. D.	Duell	McAvoy	Slingerland
Benedict, T. E.	Duguid	McCabe	Steele
Bradley	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brodsky	Ferris	Mooers	Terry
Bullock	Fish	Nowlan	Thilemann
Carpenter, E. A.	Fiske	O'Connor	Titus
Carpenter, I. S.	Fitzgerald	Parker	Tozier
Catlin	Gorsline	Peck	Travis
Chamberlain	Gray	Phillips	Tully
Chase	Griggs	Potts	Tuthill, H. H.
Chickering	Gwinup	Rhodes	Tuttle, R. M.
Childs	Havens	Root	Waterbury
Clowes	Hoffman	Russell	Wells, J. L.
Congdon	Howland	Sanders	Weston
Cookinham	Hurd	Seeley	Youngs
Costello			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were.

Alvord	Cookinham	Kennedy	Sherman
Andrews	Costello	Lefever	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	Lindsay	Sisson
Beates	Cushing	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T. E.	Duell	Miller	Steele
Bradley	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terpeny
Brodsky	Ferris	Nowlan	Thilemann
Bullock	Fish	Parker	Titus
Carpenter, E. A.	Fiske	Peck	Tozier
Carpenter, I. S.	Fitzgerald	Phillips	Travis



Case	Gorsline	Potts	Tully
Catlin	Gray	Rhodes	Tuthill, H. H.
Chamberlain	Griggs	Root	Tuttle, R. M.
Chase	Gwinup	Russell	Warner
Chickering	Hagan	Sanders	Waterbury
Childs	Havens	Seeley	Wells, J. L.
Clowes	Hoffman	Shanley	Weston
Comstock	Howland	Sheridan	Youngs
Congdon	Hurd		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 674 of the Laws of 1870, entitled 'An act to amend and consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater, passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation and the acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Sherman
Andrews	Curtis	Kennedy	Shuit
Baker, C. S.	Cushing	Lefever	Sipp
Beach	Davis	Liddle	Sisson
Beates	Deane	Lindsay	Skinner
Benedict, E. D.	Douglass	Low	Slingerland
Benedict, T. E.	Duell	McAvoy	Steele
Bradley	Duguid	McCabe	Strait
Bridges	Ellis	Miller	Tallmadge
Brodsky	Evans	Mitchell	Terpeny
Bullock	Ferris	Mooers	Terry
Carpenter, E. A.	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	Parker	Tozier
Case	Fitzgerald	Peck	Travis
Catlin	Gorsline	Phillips	Tully
Chamberlain	Gray	Potts	Tuthill, H. H.
Chase	Griggs	Rhodes	Tuttle, R. M.
Chickering	Gwinup	Root	Warner
Childs	Hagan	Russell	Waterbury
Clowes	Havens	Sanders	Wells, J. L.
Comstock	Hoffman	Seeley	Weston
Congdon	Hurd	Shanley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Crapser	Liddle	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Cushing	Low	Sisson
Beates	Davis	McAvoy	Skinner
Benedict, T. E.	Deane	McCabe	Slingerland
Bradley	Douglass	Miller	Steele
Bridges	Duell	Mitchell	Strait
Brodsky	Duguid	Mooers	Tallmadge
Bullock	Ellis	Newman	Terpeny
Carpenter, E. A.	Evans	Nowlan	Titus
Carpenter, I. S.	Ferris	Parker	Tozier
Case	Fish	Peck	Travis
Catlin	Fiske	Phillips	Tully
Chamberlain	Fitzgerald	Potts	Tuthill, H. H.
Chase	Gorsline	Rhodes	Tuttle, R. M.
Chickering	Gray	Root	Warner
Childs	Griggs	Russell	Waterbury
Clancy	Havens	Sanders	Wells, J. L.
Clowes	Hoffman	Seeley	Weston
Cohen	Hurd	Shanley	Youngs
Comstock	Kennedy	Sheridan	

Those who voted in the negative, were

Gwipup

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the improvement of Steinway avenue, in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, T. E.	Douglass	McCabe	Slingerland
Bridges	Duell	Miller	Steele
Brodsky	Duguid	Mitchell	Strait
Bullock	Ellis	Mooers	Tallmadge
Carpenter, E. A.	Evans	Newman	Terpeny
Carpenter, I. S.	Ferris	Nowlan	Terry
Case	Fish	Parker	Titus
Catlin	Fiske	Peck	Tozier
Chamberlain	Fitzgerald	Phillips	Travis
Chase	Gorsline	Potts	Tuthill, H. H.
Chickering	Gray	Rhodes	Tuttle, R. M.
Childs	Griggs	Root	Warner
Clancy	Hagan	Russell	Waterbury
Clowes	Havens	Sanders	Wells, D. A.

Comstock  
Congdon  
Cookinham  
Costello

Hoffman  
Howland  
Hurd

Seeley  
Shanley  
Sheridan

Wells, J. L.  
Weston  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize a tax of  $\frac{34}{100}$ ths of a mill, per dollar of valuation, to provide for a deficiency in the sinking fund, under article 7, section 3 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shuit
Andrews	Cullinan	Lefever	Sipp
Baker, B. F.	Curtis	Liddle	Sisson
Baker, C. S.	Cushing	Lindsay	Skinner
Beach	Davis	Low	Slingerland
Beates	Deane	McCabe	Steele
Benedict, E. D.	Douglass	McDonald	Strait
Benedict, T. E.	Duell	Miller	Tallmadge
Bridges	Duguid	Mitchell	Terpeny
Brodsky	Ellis	Mooers	Terry
Bullock	Ferris	Newman	Thilemann
Carpenter, E. A.	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	Parker	Tozier
Case	Fitzgerald	Peck	Travis
Catlin	Gorsline	Philips	Tully
Chamberlain	Gray	Potts	Tuthill, H. H.
Chase	Griggs	Rhodes	Tuttle, R. M.
Chickering	Gwinup	Root	Warner
Childs	Hagan	Russell	Waterbury
Clancy	Havens	Sanders	Wells, D. A.
Clowes	Hayes	Seeley	Wells, J. L.
Comstock	Hoffman	Shanley	Weston
Cookinham	Howland	Sheridan	Youngs
Costello	Hurd	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Shanley
Andrews	Costello	Hurd	Sheridan

Baker, B. F.	Crapser	Husted	Sherman
Baker, C. S.	Cullinan	Lefever	Shuit
Beach	Curtis	Liddle	Sipp
Beates	Cushing	Lindsay	Sisson
Benedict, E. D.	Davis	Low	Skinner
Benedict, T. E.	Deane	McCabe	Slingerland
Bradley	Douglass	McDonald	Steele
Bridges	Duell	Miller	Strait
Brodsky	Duguid	Mitchell	Tallmadge
Bullock	Ellis	Mooers	Terpeny
Carpenter, E. A.	Evans	Newman	Terry
Carpenter, I. S.	Ferris	Nowlan	Titus
Case	Fish	O'Brien	Tozier
Catlin	Fiske	Parker	Travis
Chamberlain	Fitzgerald	Peck	Tully
Chase	Gorsline	Phillips	Tuthill, H. H.
Chickering	Gray	Potter	Warner
Childs	Griggs	Potts	Waterbury
Clancy	Gwinup	Rhodes	Wells, D. A.
Clowes	Hagan	Root	Wells, J. L.
Comstock	Havens	Russell	Weston
Congdon	Hayes	Seeley	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Seeley
Andrews	Cullinan	Ingersoll	Shanley
Baker, B. F.	Curtis	Kennedy	Sheridan
Baker, C. S.	Cushing	Lefever	Sherman
Beach	Davis	Liddle	Shuit
Beates	Deane	Lindsay	Sipp
Benedict, E. D.	Douglass	Low	Sisson
Bradley	Duell	McAvoy	Skinner
Bridges	Duguid	McCabe	Slingerland
Brodsky	Ellis	Miller	Steele
Bullock	Evans	Mitchell	Tallmadge
Carpenter, E. A.	Ferris	Mooers	Terpeny
Carpenter, I. S.	Fish	Newman	Terry
Case	Fiske	Nowlan	Thilemann
Catlin	Fitzgerald	O'Brien	Titus
Chamberlain	Gorsline	Parker	Tozier
Chase	Gray	Peck	Travis
Chickering	Griggs	Phillips	Tuttle, R. M.
Childs	Hagan	Potter	Warner
Clancy	Havens	Potts	Waterbury
Clowes	Hayes	Rhodes	Wells, D. A.
Cohen	Hoffman	Root	Wells, J. L.

Congdon  
Cookinham  
Costello

Howland  
Hurd

Russell  
Sanders

Weston  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate Alert Hose Company No. 3, of Medina, New York, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Shanley
Andrews	Costello	Husted	Sheridan
Baker, B. F.	Crapser	Ingersoll	Sherman
Baker, C. S.	Cullinan	Kennedy	Shuit
Beach	Curtis	Lefever	Sipp
Beates	Davis	Liddle	Sisson
Benedict, T. E.	Deane	Lindsay	Skinner
Bradley	Douglass	Low	Slingerland
Bridges	Duell	McAvoy	Steele
Brodsky	Duguid	McCabe	Strait
Bullock	Ellis	Miller	Tallmadge
Carpenter, E. A.	Evans	Mitchell	Terpeny
Carpenter, I. S.	Fish	Mooers	Titus
Case	Fiske	Newman	Tozier
Catlin	Fitzgerald	Nowlan	Travis
Chamberlain	Gorsline	O'Brien	Tully
Chase	Gray	Parker	Tuthill, H. H.
Chickering	Griggs	Peck	Tuttle, R. M.
Childs	Gwinup	Phillips	Warner
Clancy	Hagan	Potts	Waterbury
Clowes	Havens	Rhodes	Wells, D. A.
Cohen	Hayes	Root	Wells, J. L.
Comstock	Hoffman	Russell	Weston
Congdon	Howland	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cookinham	Liddle	Sipp
Andrews	Curtis	Lindsay	Sisson
Baker, B. F.	Davis	Low	Skinner
Baker, C. S.	Deane	McCabe	Slingerland
Beach	Douglass	Miller	Steele
Beates	Duell	Mitchell	Strait

Benedict, E. D.	Duguid	Mooers	Tallmadge
Bradley	Evans	Nowlan	Terry
Bridges	Ferris	O'Brien	Titus
Brodsky	Fish	Peck	Tozier
Bullock	Fiske	Phillips	Travis
Carpenter, E. A.	Gorsline	Potter	Tuthill, H. H.
Carpenter, I. S.	Gray	Potts	Tuttle, R. M.
Case	Griggs	Rhodes	Warner
Chamberlain	Hayes	Root	Waterbury
Chase	Howland	Russell	Wells, D. A.
Chickering	Hurd	Sanders	Wells, J. L.
Childs	Husted	Seeley	Weston
Clowes	Ingersoll	Sherman	Wren
Comstock	Kennedy	Shuit	Youngs
Congdon	Lefever		

Those who voted in the negative, were

Cohen	Cushing	Hoffman	O'Connor
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the official acts of Daniel F. St. John, a justice of the peace in the town of Clarendon in the county of Orleans."

"An act to establish and maintain a police force in the city of Troy."

"An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne."

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880.'"

"An act to ratify and confirm the agreement in relation to the boundary lines between the State of New York and the State of Connecticut entered into by commissioners on the part of said States."

"An act to provide for the registration of certain bonds in the city and county of New York."

"An act to authorize the board of supervisors of the county of Onondaga to borrow money by issuing bonds of said county, and to provide for the payment of such bonds."

"An act to amend chapter 125 of the Laws of 1880, entitled 'An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter 14, section 4 of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

The bill entitled "An act in relation to the village of Potsdam," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Seeley
Andrews	Cookinham	Kennedy	Shanley
Baker, B. F.	Costello	Lefever	Sherman
Baker, C. S.	Crapser	Liddle	Shuit
Beach	Cullinan	Lindsay	Sisson
Beates	Curtis	Low	Skinner
Benedict, E. D.	Cushing	McCabe	Steele
Benedict, T. E.	Davis	McDonald	Tallmadge
Bradley	Deane	Miller	Terpeny
Bridges	Duell	Mitchell	Terry
Brodsky	Duguid	Mooers	Titus
Bullock	Ferris	Newman	Tozier
Carpenter, E. A.	Fish	Nowlan	Travis
Carpenter, I. S.	Fiske	O'Brien	Tuthill, H. H.
Case	Gorsline	O'Connor	Tuttle, R. M.
Catlin	Gray	Peck	Warner
Chamberlain	Griggs	Phillips	Waterbury
Chase	Hayes	Potter	Wells, D. A.
Childs	Howland	Potts	Wells, J. L.
Clowes	Hurd	Root	Weston
Cohen	Husted	Russell	Youngs
Comstock			

Those who voted in the negative, were

Ellis	Gwinup	Rhodes	Slingerland
Evans	Havens	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Sherman
Andrews	Cookinham	Ingersoll	Shuit
Baker, B. F.	Crapser	Kennedy	Sipp
Baker, C. S.	Cullinan	Lefever	Sisson
Beach	Curtis	Liddle	Skinner
Beates	Davis	Lindsay	Slingerland
Bradley	Deane	Low	Steele
Brennan	Douglass	Miller	Tallmadge
Bridges	Duell	Mitchell	Terry
Brodsky	Duguid	Mooers	Titus
Bullock	Evans	Nowlan	Tozier



Carpenter, E. A.	Ferris	O'Brien	Travis
Carpenter, I. S.	Fish	Peck	Tuthill, H. H.
Case	Fiske	Phillips	Tuttle, R. M.
Chamberlain	Gorsline	Potter	Warner
Chase	Gray	Potts	Waterbury
Chickering	Griggs	Root	Wells, D. A.
Childs	Hayes	Russell	Wells, J. L.
Clark	Howland	Sanders	Weston
Clowes	Hurd	Seeley	Youngs

Those who voted in the negative, were

Benedict, T. E.	Havens	Parker	Terpeny
Costello	Hoffman	Rhodes	Tully
Cushing	Newman	Shanley	Wiley
Hagan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the definition of the crime of perjury, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Shanley
Andrews	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Cushing	Liddle	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Steele
Benedict, T. E.	Duell	McDonald	Tallmadge
Bradley	Duguid	Miller	Terpeny
Brennan	Ellis	Mitchell	Terry
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, E. A.	Fitzgerald	O'Brien	Treanor
Carpenter, I. S.	Gorsline	O'Connor	Tully
Case	Gray	Parker	Tuthill, H. H.
Chamberlain	Gwinup	Peck	Tuttle, R. M.
Chase	Hagan	Phillips	Van Valkenburgh
Chickering	Havens	Potter	Warner
Childs	Hayes	Potts	Waterbury
Clark	Hoffman	Root	Wells, D. A.
Clowes	Howland	Russell	Wells, J. L.
Cohen	Hurd	Sanders	Weston
Congdon	Husted	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Ingersoll	Sherman
Andrews	Congdon	Kennedy	Shuit
Baker, B. F.	Costello	Lefever	Sipp
Baker, C. S.	Crapser	Liddle	Sisson
Beach	Cullinan	Lindsay	Skinner
Beates	Curtis	Low	Slingerland
Benedict, E. D.	Davis	McCabe	Steele
Benedict, T. E.	Deane	McCarthy	Tallmadge
Bennett	Douglass	Miller	Terpeny
Bradley	Duell	Mitchell	Terry
Brennan	Duguid	Mooers	Titus
Bridges	Evans	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Treanor
Carpenter, E. A.	Gorsline	Parker	Tuthill, H. H.
Carpenter, I. S.	Gray	Peck	Tuttle, R. M.
Case	Griggs	Phillips	Van Valkenburgh
Catlin	Gwinup	Potter	Warner
Chamberlain	Havens	Potts	Waterbury
Chase	Hayes	Root	Wells, D. A.
Chickering	Hoffman	Russell	Wells, J. L.
Childs	Howland	Sanders	Weston
Clancy	Hurd	Seeley	Youngs
Clark	Husted	Sheridan	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Clowes	Husted	Sheridan
Andrews	Comstock	Ingersoll	Sherman
Baker, B. F.	Costello	Kennedy	Shuit
Baker, C. S.	Crapser	Lefever	Sipp
Beach	Cullinan	Liddle	Sisson
Beates	Curtis	Lindsay	Slingerland
Benedict, E. D.	Davis	Low	Steele
Benedict, T. E.	Deane	McCabe	Tallmadge
Bennett	Douglass	Mooers	Terpeny
Bradley	Duell	Newman	Terry
Bridges	Duguid	Nowlan	Titus
Brodsky	Evans	O'Brien	Tozier
Bullock	Ferris	O'Connor	Travis
Carpenter, E. A.	Fish	Parker	Treanor
Carpenter, I. S.	Fiske	Phillips	Tuthill, H. H.

Case	Gorsline	Potter	Tuttle, R. M.
Catlin	Gray	Potts	Warner
Chamberlain	Griggs	Root	Waterbury
Chase	Hayes	Russell	Wells, D. A.
Chickering	Hoffman	Sanders	Wells, J. L.
Childs	Howland	Seeley	Weston
Clancy	Hurd	Shanley	Youngs
Clark			

Those who voted in the negative, were

Ellis	Havens	Miller	Peck
Gwinup			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 331, general orders 357, entitled "An act in relation to a certain bridge over the Erie canal, on Mill street, in the city of Lockport," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend the charter of the village of Saratoga Springs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Sheridan
Andrews	Costello	Husted	Sherman
Baker, B. F.	Crapser	Ingersoll	Shuit
Baker, C. S.	Cullinan	Kennedy	Sipp
Beach	Curtis	Lefever	Sisson
Beates	Cushing	Liddle	Skinner
Benedict, E. D.	Davis	Lindsay	Slingerland
Benedict, T. E.	Deane	Low	Steele
Bennett	Douglass	McAvoy	Tallmadge
Bradley	Duell	McCabe	Terpeny
Brennan	Duguid	Miller	Titus
Bridges	Ellis	Mitchell	Tozier
Brodsky	Evans	Mooers	Travis
Bullock	Ferris	Newman	Treanor
Carpenter, E. A.	Fish	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fiske	O'Brien	Tuttle, R. M.
Case	Fitzgerald	Phillips	Van Valkenburgh
Catlin	Gibbs	Potter	Warner
Chamberlain	Gorsline	Potts	Waterbury

Chase	Gray	Rhodes	Wells, D. A.
Chickering	Gwinup	Root	Wells, J. L.
Childs	Havens	Russell	Weston
Clark	Hayes	Seeley	Youngs
Clowes	Howland	Shanley	

Those who voted in the negative, were  
Peck

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Shanley
Andrews	Crapser	Kennedy	Sheridan
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T.E.	Duell	Miller	Tallmadge
Bradley	Duguid	Mitchell	Terpeny
Bridges	Ellis	Mooers	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Tully
Carpenter, I. S.	Fitzgerald	O'Connor	Tuthill, H. H.
Case	Gorsline	Parker	Tuttle, R. M.
Catlin	Gray	Peck	Van Valkenburgh
Chamberlain	Griggs	Phillips	Warner
Chase	Havens	Potter	Waterbury
Chickering	Hayes	Potts	Wells, D. A.
Childs	Hoffman	Root	Wells, J. L.
Clark	Howland	Russell	Weston
Clowes	Hurd	Sanders	Youngs
Congdon	Husted	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sheridan
Andrews	Costello	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McCabe	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Benedict, T. E.	Duell	Miller	Steele
Bridges	Duguid	Mitchell	Tallmadge
Brodsky	Evans	Mooers	Terpeny
Bullock	Fish	Newman	Titus
Carpenter, E. A.	Fiske	Nowlan	Tozier
Carpenter, I. S.	Gorsline	O'Brien	Travis
Case	Gray	O'Connor	Treanor
Catlin	Griggs	Parker	Tully
Chamberlain	Gwinup	Peck	Tuthill, H. H.
Chase	Havens	Phillips	Tuttle, R. M.
Chickering	Hayes	Potts	Van Valkenburgh
Childs	Hoffman	Root	Waterbury
Clark	Howland	Russell	Wells, D. A.
Clowes	Hurd	Sanders	Wells, J. L.
Cohen	Husted	Seeley	Weston
Comstock	Ingersoll	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to Fourth avenue in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sherman
Andrews	Cullinan	Ingersoll	Shuit
Baker, B. F.	Curtis	Kennedy	Sipp
Baker, C. S.	Cushing	Lefever	Sisson
Beach	Davis	Liddle	Skinner
Beates	Deane	Low	Slingerland
Benedict, E. D.	Douglass	McCabe	Tallmadge
Benedict, T. E.	Duell	McCarthy	Terpeny
Bradley	Duguid	Miller	Titus
Brennan	Ellis	Mitchell	Tozier
Bridges	Evans	Mooers	Travis
Brodsky	Ferris	Nowlan	Treanor
Bullock	Fish	O'Brien	Tully
Carpenter, E. A.	Fiske	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Peck	Tuttle, R. M.
Chamberlain	Gray	Phillips	Van Valkenburgh
Chase	Griggs	Potter	Warner
Chickering	Gwinup	Potts	Waterbury
Childs	Havens	Root	Wells, D. A.
Clark	Hayes	Russell	Wells, J. L.

Clowes  
Cohen  
Cookinham

Hoffman  
Howland  
Hurd

Sanders  
Seeley  
Shanley

Weston  
Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendment.

The bill entitled "An act allowing husbands and wives to deed and convey, sell, transfer and assign any real or personal property one to the other directly, and to pass the same title to the property as if the parties were unmarried," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 60 }  
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Clark	Howland	Sheridan
Andrews	Clowes	Husted	Skinner
Baker, B. F.	Congdon	Lefever	Slingerland
Baker, C. S.	Cullinan	Liddle	Tallmadge
Beach	Cushing	McAvoy	Terpeny
Beates	Douglass	Miller	Titus
Benedict, E. D.	Duell	Mooers	Tormey
Benedict, T. E.	Duguid	O'Brien	Tozier
Bennett	Evans	O'Connor	Tully
Brodsky	Ferris	Parker	Tuthill, H. H.
Bullock	Fitzgerald	Peck	Tuttle, R. M.
Catlin	Gorsline	Potts	Walsh
Chase	Gray	Sanders	Waterbury
Chickering	Gwinup	Seeley	Wells, D. A.
Childs	Hayes	Shanley	Wren

Those who voted in the negative, were

Bridges	Cookinham	Havens	Sipp
Carpenter, E. A.	Curtis	Hoffman	Sisson
Carpenter, I. S.	Davis	Lindsay	Youngs
Chamberlain	Deane	McCabe	Mr. Speaker
Cohen	Ellis	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen," was read a third time and passed.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Davis	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Douglass	McCabe	Slingerland

Benedict, T. E.	Duell	Miller	Tallmadge
Brennan	Duguid	Mitchell	Terpeny
Bridges	Ferris	Mooers	Terry
Brotsky	Fish	Newman	Titus
Bullock	Fiske	Nowlan	Tozier
Carpenter, E. A.	Gorsline	O'Brien	Travis
Carpenter, I. S.	Gray	O'Connor	Tuttle, R. M.
Chamberlain	Griggs	Parker	Van Valkenburgh
Chase	Grosse	Peck	Warner
Chickering	Gwinup	Phillips	Waterbury
Childs	Hayes	Potts	Wells, D. A.
Clancy	Hoffman	Root	Wells, J. L.
Clark	Howland	Russell	Weston
Clowes	Hurd	Sanders	Wren
Comstock	Husted	Seeley	Youngs
Cookinham	Ingersoll		

Those who voted in the negative, were

Benedict, E. D	Hagan	Shanley	Tully
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Shanley
Andrews	Congdon	Ingersoll	Sheridan
Baker, C. S.	Costello	Kennedy	Sherman
Beach	Crapser	Lefever	Shuit
Beates	Cullinan	Liddle	Sipp
Benedict, E. D.	Curtis	Lindsay	Sisson
Benedict, T. E.	Cushing	Low	Skinner
Bennett	Davis	McAvoy	Slingerland
Bradley	Deane	McCabe	Steele
Brennan	Douglass	Miller	Tallmadge
Bridges	Duell	Mooers	Terpeny
Brotsky	Duguid	Newman	Terry
Bullock	Evans	Nowlan	Titus
Carpenter, E. A.	Ferris	O'Brien	Tozier
Carpenter, I. S.	Fish	O'Connor	Travis
Oase	Gorsline	Parker	Treanor
Catlin	Gray	Peck	Van Valkenburgh
Chamberlain	Griggs	Phillips	Warner
Chase	Grosse	Potter	Waterbury
Chickering	Havens	Potts	Wells, D. A.
Childs	Hayes	Root	Wells, J. L.
Clark	Hoffman	Russell	Weston
Clowes	Howland	Sanders	Youngs
Cohen	Hurd	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 443 of the Laws of 1868,



entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island, passed April 29, 1868,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Douglass	McCabe	Steele
Benedict, T. E.	Duell	Miller	Tallmadge
Bradley	Duguid	Mooers	Terpeny
Bridges	Ellis	Newman	Terry
Brodsky	Ferris]	Nowlan	Titus
Bullock	Fiske	O'Brien	Tozier
Carpenter, I. S.	Gorsline	Parker	Travis
Chamberlain	Gray	Peck	Treanor
Chase	Griggs	Phillips	Tully
Chickering	Grosse	Potter	Tuthill, H. H.
Childs	Havens	Potts	Van Valkenburgh
Clark	Hayes	Root	Warner
Clowes	Hoffman	Russell	Waterbury
Comstock	Howland	Sanders	Wells, D. A.
Congdon	Hurd	Seeley	Wells, J. L.
Cookinham	Husted	Shanley	Youngs
Costello	Ingersoll	Sheridan	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 65 of the Laws of 1829, entitled 'An act concerning the writ of certiorari in criminal cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Clowes	Husted	Sherman
Andrews	Cookinham	Ingersoll	Shuit
Baker, B. F.	Crapser	Kennedy	Sipp
Baker, C. S.	Cullinan	Lefever	Sisson
Beach	Curtis	Liddle	Skinner
Beates	Davis	Lindsay	Slingerland
Benedict, E. D.	Deane	Low	Tallmadge
Benedict, T. E.	Douglass	Miller	Terpeny
Bennett	Duell	Mooers	Terry
Brennan	Duguid	Newman	Titus
Bridges	Evans	Nowlan	Tozier

Bullock	Fish	O'Brien	Travis
Carpenter, I. S.	Fiske	Phillips	Tuttle, R. M.
Case	Gorsline	Potter	Van Valkenburgh
Catlin	Gray	Potts	Warner
Chamberlain	Griggs	Root	Waterbury
Chase	Hayes	Russell	Wells, D. A.
Chickering	Hoffman	Sanders	Wells, J. L.
Childs	Howland	Seeley	Weston
Clark	Hurd	Sheridan	Youngs

• Those who voted in the negative, were

Cohen	McAvoy	O'Connor	Peck
Fitzgerald			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Douglass	Low	Skinner
Beates	Duell	McAvoy	Slingerland
Benedict, T. E.	Duguid	McCabe	Tallmadge
Bennett	Ferris	McCarthy	Terpeny
Bridges	Fish	Miller	Terry
Brodsky	Fiske	Mooers	Titus
Bullock	Gorsline	Newman	Tozier
Carpenter, E. A.	Gray	Nowlan	Travis
Carpenter, I. S.	Griggs	O'Brien	Treanor
Case	Grosse	Parker	Tully
Catlin	Gwinup	Peck	Tuttle, R. M.
Chamberlain	Hagan	Phillips	Van Valkenburgh
Chase	Havens	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Root	Wells, D. A.
Clowes	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Husted	Seeley	Youngs
Cookinham	Ingersoll	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Douglass	Low	Sisson
Andrews	Duell	McAvoy	Slingerland
Baker, B. F.	Duguid	McCabe	Steele
Baker, C. S.	Ellis	McCarthy	Tallmadge
Beach	Ferris	McTernan	Terpeny
Beates	Fish	Miller	Terry
Benedict, T. E.	Fiske	Mooers	Thilemann
Bradley	Fitzgerald	Newman	Titus
Brennan	Gorsline	Nowlan	Tozier
Brodsky	Gray	O'Brien	Travis
Bullock	Griggs	O'Connor	Treanor
Carpenter, I. S.	Hagan	Peck	Tully
Case	Havens	Phillips	Tuthill, H. H.
Catlin	Hayes	Potts	Tuttle, R. M.
Chamberlain	Hoffman	Root	Van Valkenburgh
Chase	Howland	Russell	Walsh
Clark	Hurd	Sanders	Warner
Clowes	Husted	Seeley	Waterbury
Comstock	Ingersoll	Shanley	Wells, D. A.
Cookinham	Kennedy	Sheridan	Wells, J. L.
Curtis	Lefever	Sherman	Weston
Cushing	Liddle	Shuit	Wren
Davis	Lindsay	Sipp	Youngs
Deane			

Those who voted in the negative, were

Bridges                      Chickering                      Congdon

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendment.

The Senate sent for concurrence the bill entitled "An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was substituted for Assembly bill No. 315, now on order of third reading.

On motion of Mr. Youngs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Cookinham	Lefever	Shuit
Baker, B. F.	Costello	Liddle	Sipp
Baker, C. S.	Crapser	Lindsay	Sisson
Beach	Curtis	Low	Skinner
Benedict, E. D.	Davis	McAvoy	Slingerland

Benedict, T. E.	Deane	McCabe	Tallmadge
Bennett	Douglass	McCarthy	Terpeny
Bradley	Duell	Miller	Terry
Brennan	Duguid	Mooers	Thilemann
Bridges	Evans	Newman	Titus
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fish	O'Brien	Travis
Carpenter, E. A.	Fiske	O'Connor	Tully
Carpenter, I. S.	Gorsline	Parker	Tuthill, H. H.
Case	Gray	Peck	Tuttle, R. M.
Catlin	Griggs	Phillips	Van Valkenburgh
Chamberlain	Hagan	Potts	Warner
Chase	Hayes	Root	Waterbury
Chickering	Hoffman	Russell	Wells, D. A.
Childs	Howland	Sanders	Wells, J. L.
Clark	Hurd	Seeley	Weston
Clowes	Husted	Shanley	Wren
Comstock	Ingersoll	Sheridan	Youngs
Congdon	Kennedy	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein, for the construction of road from Blood's hotel, in Harriestown, Franklin county, to Tupper's lake, in the county of Franklin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES . 93 }  
 { NOES . 00 }.

Those who voted in the affirmative, were

Andrews	Cookinham	Kennedy	Sheridan
Baker, B. F.	Costello	Lefever	Sherman
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Sipp
Beates	Davis	Low	Sisson
Benedict, T. E.	Deane	McAvoy	Skinner
Bennett	Douglass	McCabe	Slingerland
Bradley	Duell	McCarthy	Steele
Brennan	Duguid	Miller	Tallmadge
Bridges	Evans	Mooers	Terpeny
Brodsky	Ferris	Newman	Terry
Bullock	Fish	Nowlan	Titus
Carpenter, E. A.	Fiske	O'Brien	Tozier
Carpenter, I. S.	Gorsline	O'Connor	Travis
Case	Gray	Parker	Tuthill, H. H.
Catlin	Gwinup	Peck	Tuttle, R. M.
Chamberlain	Havens	Phillips	Warner
Chase	Hayes	Potts	Waterbury
Chickering	Hoffman	Root	Wells, D. A.
Childs	Howland	Russell	Wells, J. L.
Clark	Hurd	Sanders	Weston
Clowes	Husted	Seeley	Wren
Cohen	Ingersoll	Shanley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing physicians of the different medical schools to meet in consultation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sherman
Andrews	Cookinham	Kennedy	Shuit
Baker, B. F.	Costello	Lefever	Sipp
Baker, C. S.	Curtis	Liddle	Sisson
Beach	Cushing	Lindsay	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Deane	McAvoy	Tallmadge
Bennett	Douglass	McCabe	Terpeny
Bradley	Duell	McCarthy	Terry
Brennan	Duguid	Miller	Titus
Bridges	Ellis	Mooers	Tormey
Brodsky	Ferris	Newman	Tozier
Carpenter, E. A.	Fish	Nowlan	Treanor
Carpenter, I. S.	Gorsline	O'Brien	Tully
Case	Gray	Peck	Tuthill, H. H.
Catlin	Griggs	Phillips	Tuttle, R. M.
Chamberlain	Grosse	Potts	Warner
Chase	Hagan	Root	Waterbury
Chickering	Hayes	Russell	Wells, D. A.
Childs	Hoffman	Sanders	Weston
Clark	Howland	Seeley	Wren
Clowes	Hurd	Sheridan	Youngs
Comstock	Husted		

Those who voted in the negative, were

Havens                      Wells, J. L.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Sanders
Andrews	Congdon	Husted	Shanley
Baker, B. F.	Cookinham	Ingersoll	Sheridan
Baker, C. S.	Costello	Kennedy	Shuit
Beach	Cullinan	Lefever	Sipp
Beates	Curtis	Liddle	Sisson
Benedict, E. D.	Davis	Lindsay	Slingerland

Benedict, T. E.	Deane	Low	Tallmadge
Bennett	Douglass	McAvoy	Terpeny
Brennan	Duell	McCabe	Terry
Bridges	Duguid	McCarthy	Titus
Brotsky	Ellis	Miller	Tozier
Bullock	Ferris	Mooers	Travis
Carpenter, E. A.	Fish	Newman	Tuthill, H. H.
Carpenter, I. S.	Fiske	Nowlan	Tuttle, R. M.
Case	Gorsline	O'Brien	Warner
Catlin	Gray	Peck	Waterbury
Chamberlain	Griggs	Phillips	Wells, D. A.
Chase	Grosse	Potter	Wells, J. L.
Chickering	Havens	Potts	Weston
Childs	Hayes	Root	Wren
Clark	Hoffman	Russell	Youngs
Clowes	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend title 4, chapter 6, part 2, of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 90 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Shuit
Andrews	Cookinham	Liddle	Sipp
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Cushing	Low	Slingerland
Beach	Davis	McAvoy	Tallmadge
Beates	Deane	McCabe	Terpeny
Bennett	Douglass	Miller	Terry
Bradley	Duell	Mooers	Titus
Bridges	Duguid	Newman	Tormey
Brotsky	Ellis	Nowlan	Tozier
Bullock	Ferris	O'Brien	Travis
Carpenter, E. A.	Fiske	Peck	Tully
Carpenter, I. S.	Gorsline	Phillips	Tuthill, H. H.
Case	Gray	Potter	Tuttle, R. M.
Catlin	Gwinup	Potts	Warner
Chamberlain	Havens	Root	Waterbury
Chase	Hayes	Russell	Wells, D. A.
Chickering	Hoffman	Sanders	Wells, J. L.
Childs	Howland	Seeley	Weston
Claney	Hurd	Shanley	Wiley
Clark	Husted	Sheridan	Wren
Clowes	Ingersoll	Sherman	Youngs
Comstock	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie

canal, upon Genesee street in the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Sherman
Andrews	Congdon	Ingersoll	Shuit
Baker, B. F.	Cookinham	Kennedy	Sipp
Baker, C. S.	Costello	Lefever	Sisson
Beach	Cushing	Liddle	Skinner
Beates	Davis	Lindsay	Tallmadge
Bradley	Deane	Low	Terpeny
Brennan	Douglass	McCabe	Terry
Bridges	Duell	McCarthy	Thilemann
Brodsky	Ferris	Miller	Titus
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Fiske	O'Brien	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Gray	Phillips	Tuttle, R. M.
Catlin	Griggs	Potter	Van Valkenburgh
Chamberlain	Grosse	Potts	Warner
Chase	Hagan	Root	Waterbury
Chickering	Havens	Russell	Wells, D. A.
Childs	Hayes	Sanders	Wells, J. L.
Clark	Hoffman	Seeley	Weston
Clowes	Howland	Shanley	Youngs
Cohen	Hurd	Sheridan	

Those who voted in the negative, were

Curtis Mooers

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Seeley
Andrews	Cookinham	Husted	Shanley
Baker, B. F.	Curtis	Ingersoll	Sheridan
Baker, C. S.	Cushing	Kennedy	Shuit
Beach	Davis	Lefever	Sisson
Beates	Deane	Liddle	Skinner
Bennett	Douglass	Lindsay	Slingerland
Brennan	Duell	Low	Steele
Bridges	Duguid	McCabe	Tallmadge
Brodsky	Evans	McCarthy	Terpeny



Bullock	Ferris	Miller	Titus
Carpenter, E. A.	Fish	Mooers	Tozier
Carpenter, I. S.	Fiske	Newman	Travis
Case	Gibbs	Nowlan	Tuthill, H. H.
Catlin	Gorsline	O'Brien	Van Valkenburgh
Chamberlain	Gray	Peck	Warner
Chase	Griggs	Phillips	Waterbury
Chickering	Grosse	Potter	Wells, D. A.
Childs	Havens	Potts	Wells, J. L.
Clark	Hayes	Root	Weston
Clowes	Hoffman	Russell	Wren
Cohen	Howland	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Shanley
Andrews	Cookinham	Husted	Sheridan
Baker, B. F.	Crapser	Ingersoll	Shuit
Baker, C. S.	Curtis	Kennedy	Sipp
Beach	Davis	Lefever	Sisson
Beates	Deane	Liddle	Skinner
Benedict, T. E.	Douglass	Lindsay	Steele
Bennett	Duell	Low	Tallmadge
Bradley	Duguid	McCabe	Terpeny
Brennan]	Ellis	Miller	Terry
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, E. A.	Gibbs	O'Brien	Tully
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Gray	Phillips	Tuttle, R. M.
Catlin	Griggs	Potter	Warner
Chamberlain	Grosse	Potts	Waterbury
Chase	Gwinup	Root	Wells, D. A.
Chickering	Hayes	Russell	Wells, J. L.
Clark	Hoffman	Sanders	Weston
Clowes	Howland	Seeley	Youngs
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick in said county, from the second to the first school commissioner district of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Sheridan
Andrews	Cookinham	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sisson
Beach	Davis	Lindsay	Skinner
Beates	Deane	Low	Slingerland
Benedict, E. D.	Douglass	McAvoy	Steele
Benedict, T. E.	Duell	McCabe	Tallmadge
Bradley	Duguid	McCarthy	Terpeny
Brennan	Ellis	Miller	Terry
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Treanor
Carpenter, E. A.	Gorsline	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gray	Peck	Tuttle, R. M.
Case	Griggs	Pitcher	Van Valkenburgh
Catlin	Havens	Potter	Warner
Chamberlain	Hayes	Potts	Waterbury
Chase	Hoffman	Root	Wells, D. A.
Chickering	Howland	Russell	Wells, J. L.
Childs	Hurd	Seeley	Weston
Clark	Husted	Shanley	Wiley
Clowes			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' passed March 27, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	Low	Sisson
Beach	Douglass	McCabe	Skinner
Beates	Duell	McCarthy	Slingerland
Benedict, E. D.	Duguid	Miller	Steele
Benedict, T. E.	Ellis	Mitchell	Tallmadge
Brennan	Evans	Mooers	Terpeny
Bridges	Ferris	Newman	Terry
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	O'Brien	Tozier
Carpenter, E. A.	Gorsline	O'Connor	Travis
Carpenter, I. S.	Gray	Peck	Tuthill, H. H.
Case	Griggs	Phillips	Tuttle, R. M.
Catlin	Gwinup	Potter	Van Valkenburgh
Chamberlain	Hayes	Potts	Warner

Chase	Hoffman	Root	Waterbury
Chickering	Howland	Russell	Wells, D. A.
Childs	Hurd	Sanders	Wells, J. L.
Clark	Husted	Seeley	Weston
Clowes	Ingersoll	Shanley	Wiley
Comstock	Kennedy	Sheridan	Youngs
Congdon			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 435 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Shanley
Andrews	Cullinan	Lefever	Sheridan
Baker, B. F.	Davis	Liddle	Sherman
Baker, C. S.	Deane	Lindsay	Shuit
Beach	Douglass	Low	Sipp
Beates	Duell	McAvoy	Sisson
Benedict, T. E.	Duguid	McCabe	Skinner
Brennan	Ellis	McDonald	Slingerland
Bridges	Evans	Miller	Steele
Brodsky	Ferris	Mitchell	Terpeny
Bullock	Fish	Mooers	Terry
Carpenter, E. A.	Fiske	Newman	Titus
Carpenter, I. S.	Gorsline	Nowlan	Tozier
Case	Gray	O'Brien	Travis
Catlin	Griggs	Peck	Tuthill, H. H.
Chamberlain	Gwinup	Phillips	Tuttle, R. M.
Chase	Hagan	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Rhodes	Wells, D. A.
Clancy	Howland	Root	Wells, J. L.
Clark	Hurd	Russell	Weston
Clowes	Husted	Sanders	Wiley
Cookinham	Ingersoll	Seeley	Youngs

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sherman
Andrews	Cullinan	Kennedy	Shuit
Baker, B. F.	Curtis	Lefever	Sipp
Baker, C. S.	Cushing	Liddle	Sisson

Beach	Davis	Lindsay	Skinner
Beates	Deane	Low	Slingerland
Benedict, T. E.	Douglass	McCabe	Steele
Bradley	Duell	McCarthy	Tallmadge
Brennan	Duguid	Miller	Terry
Bridges	Ellis	Mitchell	Titus
Brodsky	Ferris	Mooers	Tozier
Bullock	Fish	Newman	Travis
Carpenter, E. A.	Fiske	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gorsline	O'Brien	Tuttle, R. M.
Case	Gray	Peck	Van Valkenburgh
Catlin	Griggs	Phillips	Warner
Chamberlain	Gwinup	Potts	Waterbury
Chase	Hagan	Rhodes	Wells, D. A.
Chickering	Hayes	Root	Wells, J. L.
Childs	Hoffman	Russell	Weston
Clancy	Howland	Sanders	Wiley
Clowes	Hurd	Seeley	Youngs
Comstock	Husted	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Davis	Low	Skinner
Beach	Deane	McAvoy	Slingerland
Beates	Douglass	McCabe	Steele
Benedict, E. D.	Duell	McCarthy	Tallmadge
Benedict, T. E.	Ellis	Miller	Terpeny
Bradley	Ferris	Mitchell	Terry
Brennan	Fish	Mooers	Titus
Bridges	Fiske	Newman	Tozier
Brodsky	Fitzgerald	Nowlan	Travis
Bullock	Gorsline	O'Brien	Treanor
Carpenter, E. A.	Gray	Parker	Tully
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Hagan	Phillips	Tuttle, R. M.
Catlin	Havens	Potts	Van Valkenburgh
Chamberlain	Hayes	Root	Warner
Chase	Hoffman	Russell	Waterbury
Chickering	Howland	Sanders	Wells, J. L.
Childs	Hurd	Seeley	Weston
Clark	Husted	Shanley	Wren
Clowes	Ingersoll	Sherman	Youngs
Comstock	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide for

repairing or rebuilding and enlarging the City Hall in the city of Albany for the use of said city, and the use of the county of Albany, and to provide means for the payment thereof," with a message that they have concurred in the passage of the same with the following amendments:

Amend section 2, line 16, by inserting after the word "shall" the words "without compensation;" also, same section, line 48, strike out the word "and" where it first occurs in said line.

Amend section 5 by adding thereto the following, viz.:

"Such necessary repairs and the warming, lighting, protection and care of building shall be made and provided for by contract or contracts, each to be entered into by both the mayor of the city of Albany and the chairman of the board of supervisors of the county of Albany, for the time being; and no expense so incurred shall be allowed or directed to be paid by either the board of supervisors of said county, or the common council of said city, until the bills therefor have been duly approved by both the said mayor and chairman, except the salaries of employees which shall have been fixed in writing for a definite period of time at a definite sum, by said mayor and the chairman jointly.

Amend section 6, lines 3, 4 and 5, by striking out the words "who shall be a permanent resident of the city or county of Albany;" also, same section, line 15, by striking out the word "opened" and insert the word "open."

Amend section 8, line 22, by inserting after the word "commissioners" the words "or a majority of them;" also, same section, line 27, by inserting after the word "same" the words "by the county treasurer."

Amend section 10, line 20, by inserting after the word "commissioners" the words "or a majority of them;" also, same section, line 25, by inserting after the word "same" the words "by the city chamberlain;" also, same section, line 32, by inserting after the word "order" the words "signed by a majority of them, and authorized at a meeting of said commissioners duly called."

Amend section 13, line 2, by inserting after the word "contract" the words "or contracts;" also, same section, line 8, by inserting after the word "bond" the words "with sufficient sureties."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Russell
Andrews	Curtis	Ingersoll	Seeley
Baker, B. F.	Cushing	Kennedy	Sherman
Baker, C. S.	Davis	Lefever	Shuit
Beach	Deane	Liddle	Sipp
Beates	Douglass	Lindsay	Sisson
Benedict, E. D.	Duell	Low	Skinner
Bradley	Duguid	McAvoy	Slingerland
Brennan	Ellis	McCabe	Tallmadge
Bridges	Ferris	McCarthy	Terpeny
Brodsky	Fish	Miller	Terry

Bullock	Fiske	Mitchell	Tormey
Carpenter, E. A.	Gorsline	Moers	Tozier
Carpenter, I. S.	Gray	Newman	Travis
Case	Griggs	Nowlan	Tuthill, H. H.
Catlin	Gwinup	O'Brien	Tuttle, R. M.
Chamberlain	Hagan	Parker	Van Valkenburgh
Chase	Havens	Peck	Waterbury
Chickering	Hayes	Phillips	Wells, D. A.
Childs	Hoffman	Potter	Wells, J. L.
Clowes	Howland	Potts	Wren
Comstock	Hurd	Root	

Those who voted in the negative, were

Shanley                      Wiley

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" being announced for a third reading,

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Line 3, sub-division 11, strike out word "two" and insert "five."

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Shuit
Andrews	Cullinan	Low	Sipp
Baker, B. F.	Curtis	McAvoy	Sisson
Baker, C. S.	Cushing	McCabe	Skinner
Beach	Davis	McCarthy	Slingerland
Beates	Douglass	McTernan	Steele
Benedict, E. D.	Duell	Mead	Tallmadge
Benedict, T. E.	Ellis	Miller	Terpeny
Brennan	Ferris	Mitchell	Terry
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Newman	Tormey
Bullock	Gorsline	Nowlan	Travis
Carpenter, E. A.	Gray	O'Brien	Treanor
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Hagan	Phillips	Tuttle, R. M.
Catlin	Hayes	Potter	Van Valkenburgh
Chamberlain	Hoffman	Roberts	Warner
Chase	Howland	Root	Waterbury
Chickering	Hurd	Russell	Wells, J. L.
Childs	Husted	Seeley	Weston
Clark	Ingersoll	Shanley	Wiley
Clowes	Kennedy	Sheridan	Wren
Comstock	Lefever	Sherman	Youngs
Congdon	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ **AYES 92** }  
{ **NOES 3** }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Seeley
Andrews	Cullinan	Kennedy	Sheridan
Baker, B. F.	Curtis	Lefever	Sherman
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Sisson
Beates	Douglass	Low	Skinner
Benedict, E. D.	Duell	McAvoy	Slingerland
Brennan	Duguid	McCabe	Steele
Bridges	Ellis	McCarthy	Tallmadge
Brodsky	Evans	McTernan	Terpeny
Bullock	Ferris	Mead	Titus
Carpenter, E. A.	Fish	Miller	Tozier
Carpenter, I. S.	Fiske	Mooers	Travis
Case	Gorsline	Newman	Tally
Chamberlain	Gray	Nowlan	Tuthill, H. H.
Chase	Griggs	Parker	Tuttle, R. M.
Chickering	Hagan	Peck	Van Valkenburgh
Childs	Havens	Phillips	Waterbury
Clark	Hayes	Potter	Wells, D. A.
Clowes	Hoffman	Potts	Wells, J. L.
Comstock	Howland	Root	Weston
Congdon	Hurd	Russell	Wren
Cookinham	Husted	Sanders	Youngs

Those who voted in the negative, were

Benedict, T. E.	Mitchell	Walsh
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of Franklin C. Whitney as a notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ **AYES 95** }  
{ **NOES 00** }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Shanley
Andrews	Cookinham	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Cushing	Lindsay	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T. E.	Duell	McCarthy	Steele
Bennett	Duguid	McTernan	Tallmadge
Brennan	Ellis	Mead	Terry



Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mooers	Tozier
Bullock	Fiske	Newman	Travis
Carpenter, E. A.	Gorsline	Nowlan	Tully
Carpenter, I. S.	Gray	O'Brien	Tuthill, H. H.
Case	Griggs	O'Connor	Tuttle, R. M.
Catlin	Gwinup	Peck	Warner
Chamberlain	Hagan	Potter	Waterbury
Chase	Hayes	Potts	Wells, D. A.
Chickering	Hoffman	Rhodes	Wells, J. L.
Childs	Howland	Root	Weston
Clancy	Hurd	Russell	Wren
Clowes	Husted	Sanders	Youngs
Comstock	Ingersoll	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Liddle	Shuit
Andrews	Crapser	Lindsay	Sipp
Baker, B. F.	Curtis	Low	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Deane	McCabe	Slingerland
Beates	Douglass	McCarthy	Steele
Benedict, E. D.	Duell	McTernan	Tallmadge
Benedict, T. E.	Duguid	Mead	Terry
Bradley	Evans	Miller	Titus
Bridges	Ferris	Mitchell	Tozier
Brodsky	Fiske	Mooers	Travis
Bullock	Gorsline	Nowlan	Treanor
Carpenter, E. A.	Gray	O'Brien	Tully
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Gwinup	Phillips	Tuttle, R. M.
Catlin	Havens	Potter	Van Valkenburgh
Chamberlain	Hayes	Potts	Warner
Chase	Hoffman	Rhodes	Wells, D. A.
Chickering	Howland	Root	Wells, J. L.
Childs	Hurd	Russell	Weston
Clowes	Husted	Seeley	Wiley
Comstock	Ingersoll	Sheridan	Wren
Congdon	Kennedy	Sherman	Youngs
Cookinham	Lefever		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages,"" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Shanley
Andrews	Crapser	Lefever	Sheridan
Baker, B. F.	Curtis	Liddle	Sherman
Baker, C. S.	Davis	Lindsay	Shuit
Beach	Deane	Low	Sipp
Beates	Douglass	McAvoy	Sisson
Benedict, E. D.	Duell	McCabe	Skinner
Benedict, T. E.	Duguid	McDonald	Slingerland
Brennan	Evans	Mead	Steele
Bridges	Ferris	Miller	Tallmadge
Brodsky	Fish	Mitchell	Terpeny
Bullock	Fiske	Mooers	Terry
Carpenter, E. A.	Gillette	Nowlan	Titus
Carpenter, I. S.	Gorsline	O'Brien	Tozier
Case	Gray	Parker	Travis
Catlin	Griggs	Peck	Tuthill, H. H.
Chamberlain	Hagan	Phillips	Tuttle, R. M.
Chase	Havens	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Rhodes	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Clowes	Hurd	Russell	Weston
Comstock	Husted	Sanders	Wren
Congdon	Ingersoll	Seeley	Youngs

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	Low	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Duell	McCabe	Steele
Benedict, E. D.	Duguid	McCarthy	Strait
Benedict, T. E.	Ellis	McTernan	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Fish	Mitchell	Titus
Brodsky	Fiske	Mooers	Tozier
Bullock	Gorsline	Newman	Travis
Carpenter, E. A.	Gray	Nowlan	Treanor
Carpenter, I. S.	Griggs	O'Brien	Tully

Case	Grosse	Parker	Tuthill, H. H.
Catlin	Gwinup	Peck	Tuttle, R. M.
Chamberlain	Havens	Phillips	Van Valkenburgh
Chase	Hayes	Potter	Warner
Chickering	Hoffman	Potts	Waterbury
Childs	Howland	Rhodes	Wells, J. L.
Clark	Hurd	Root	Weston
Clowes	Husted	Russell	Wiley
Congdon	Ingersoll	Seeley	Youngs
Cookinham	Kennedy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act supplementary to chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social or recreative purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sherman
Andrews	Cullinan	Kennedy	Shuit
Baker, B. F.	Curtis	Lefever	Sipp
Baker, C. S.	Cushing	Liddle	Sisson
Beach	Davis	Lindsay	Skinner
Beates	Deane	Low	Steele
Benedict, E. D.	Douglass	McAvoy	Tallmadge
Benedict, T. E.	Duell	McCabe	Terry
Brennan	Duguid	McDonald	Titus
Bridges	Ellis	Mead	Tozier
Brodsky	Ferris	Miller	Travis
Bullock	Fish	Mooers	Tully
Carpenter, E. A.	Fiske	Newman	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Nowlan	Tuttle, R. M.
Case	Gray	Parker	Van Valkenburgh
Catlin	Griggs	Peck	Varnum
Chase	Grosse	Phillips	Warner
Chickering	Havens	Potts	Waterbury
Childs	Hayes	Rhodes	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Clowes	Howland	Russell	Weston
Comstock	Hurd	Sanders	Wren
Congdon	Husted	Shanley	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Douglass	McAvoy	Slingerland
Benedict, E. D.	Duell	McCabe	Steele
Benedict, T. E.	Duguid	McCarthy	Tallmadge
Bradley	Ellis	Mead	Terpeny
Brennan	Ferris	Miller	Terry
Bridges	Fish	Mitchell	Titus
Brodsky	Fiske	Mooers	Travis
Bullock	Gorsline	Newman	Tully
Carpenter, E. A.	Gray	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Griggs	O'Brien	Tuttle, R. M.
Catlin	Gwinup	Parker	Van Valkenburgh
Chase	Havens	Peck	Warner
Chickering	Hayes	Phillips	Waterbury
Childs	Hoffman	Potts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Clowes	Hurd	Russell	Wiley
Cornstock	Husted	Sanders	Wren
Congdon	Ingersoll	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the exchange of preferred stock for common stock of corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Seeley
Andrews	Cookinham	Ingersoll	Shanley
Baker, B. F.	Cullinan	Kennedy	Sheridan
Baker, C. S.	Curtis	Lefever	Shuit
Beach	Cushing	Liddle	Sipp
Beates	Davis	Lindsay	Sisson
Benedict, E. D.	Deane	Low	Skinner
Benedict, T. E.	Douglass	McCabe	Steele
Brennan	Duell	McCarthy	Tallmadge
Bridges	Duguid	Mead	Terpeny
Brodsky	Ellis	Miller	Terry
Bullock	Evans	Mitchell	Titus
Carpenter, E. A.	Ferris	Mooers	Tozier
Carpenter, I. S.	Fish	Newman	Travis
Case	Fiske	Nowlan	Treanor
Catlin	Gorsline	O'Brien	Tuthill, H. H.
Chamberlain	Gray	Peck	Tuttle, R. M.
Chase	Griggs	Phillips	Van Valkenburgh
Chickering	Hagan	Potter	Waterbury
Childs	Havens	Potts	Wells, D. A.

Clancy	Hayes	Root	Wells, J. L.
Clark	Hoffman	Russell	Weston
Clowes	Howland	Sanders	Wren
Comstock	Hurd		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal, and of the Glens Falls feeder," being announced for a third reading,

Mr. Hurd moved to recommit said bill to the committee on canals with instructions to amend said bill in words following, and report forthwith :

Add at end of section 1, "The said sum herewith reappropriated, or so much thereof as may be required for immediate expenditure, may from time to time be invested by the Commissioners of the Canal Fund in the revenue bonds of the Comptroller ; but when such bonds shall mature, the proceeds thereof and the interest thereon, when repaid into the treasury, shall revert to the original fund to be applied and expended as hereinbefore provided."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hurd, from the committee on canals, reported said bill back to the House amended as instructed.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Cushing	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Baker, C. S.	Deane	McCabe	Sisson
Beach	Douglass	McCarthy	Skinner
Beates	Duell	McTernan	Slingerland
Benedict, E. D.	Ellis	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terpeny
Brennan	Fish	Newman	Terry
Bridges	Fiske	Nowlan	Titus
Brodsky	Gorsline	O'Brien	Tozier
Bullock	Gray	Parker	Travis
Carpenter, E. A.	Griggs	Peck	Tuthill, H. H.
Carpenter, I. S.	Hagan	Phillips	Tuttle, R. M.
Case	Havens	Potter	Van Valkenburgh
Catlin	Hayes	Potts	Warner
Chamberlain	Hoffman	Rhodes	Waterbury
Chase	Howland	Root	Wells, D. A.
Childs	Hurd	Russell	Wells, J. L.
Clark	Husted	Sanders	Weston
Clowes	Ingersoll	Seeley	Wren
Comstock	Kennedy	Sheridan	Youngs
Congdon	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act entitled 'An act to regulate the licensing of physicians and surgeons,' " being announced for a third reading.

On motion of Mr. Bullock, and by unanimous consent, said bill was amended in words following:

Section 7. "All acts and parts of acts inconsistent with this act are hereby repealed."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 5 }

Those who voted in the affirmative, were

Benedict, E. D.	Gray	Newman	Tallmadge
Benedict, T. E.	Grosse	Nowlan	Terpeny
Brodsky	Gwinup	O'Brien	Terry
Bullock	Havens	Peck	Titus
Chamberlain	Hayes	Phillips	Tozier
Chickering	Hoffman	Rhodes	Travis
Clark	Howland	Root	Treanor
Comstock	Hurd	Russell	Tully
Crapser	Husted	Sanders	Tuthill, H. H.
Curtis	Ingersoll	Seeley	Tuttle, R. M.
Davis	Kennedy	Shanley	Van Valkenburgh
Deane	Lefever	Sheridan	Warner
Douglass	Liddle	Sherman	Waterbury
Duell	Lindsay	Shuit	Wells, D. A.
Ellis	Low	Sipp	Wells, J. L.
Evans	McCabe	Sisson	Weston
Fish	McDonald	Skinner	Wiley
Fiske	Mead	Slingerland	Wren
Fitzgerald	Miller	Steele	Youngs
Gorsline	Mooers	Strait	

Those who voted in the negative, were

Alvord	Bridges	Carpenter, E. A.	Potts
Baker, O. S.			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers.'"

"An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

The bill entitled "An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Shuit
Andrews	Cookinham	Liddle	Sipp
Baker, B. F.	Cullinan	Lindsay	Sisson
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	McAvoy	Slingerland
Beates	Deane	McCabe	Steele
Benedict, E. D.	Douglass	Mead	Strait
Benedict, T. E.	Duell	Miller	Tallmadge
Bradley	Ellis	Mitchell	Terry
Brennan	Ferris	Mooers	Titus
Bridges	Fish	Newman	Tozier
Brodsky	Fiske	Nowlan	Travis
Bullock	Gorsline	Peck	Treanor
Carpenter, E. A.	Gray	Phillips	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potter	Tuttle, R. M.
Case	Hagan	Potts	Warner
Catlin	Hayes	Rhodes	Waterbury
Chamberlain	Hoffman	Root	Wells, D. A.
Chase	Howland	Russell	Wells, J. L.
Chickering	Hurd	Sanders	Weston
Childs	Husted	Seeley	Wren
Clark	Ingersoll	Shanley	Youngs
Clowes	Kennedy	Sherman	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 647 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shanley
Andrews	Cullinan	Liddle	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McAvoy	Skinner
Beates	Douglass	McCabe	Slingerland
Benedict, E. D.	Duell	McCarthy	Strait
Benedict, T. E.	Duguid	McTernan	Terpeny
Bradley	Ellis	Mead	Terry
Brennan	Evans	Miller	Titus
Bridges	Fish	Mitchell	Tozier
Brodsky	Fiske	Mooers	Travis
Bullock	Fitzgerald	Newman	Treanor
Carpenter, E. A.	Gorsline	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gray	Parker	Tuttle, R. M.
Catlin	Griggs	Peck	Van Valkenburgh
Chase	Havens	Phillips	Warner



Chickering	Hoffman	Potts	Waterbury
Childs	Howland	Rhodes	Wells, D. A.
Clark	Hurd	Root	Wells, J. L.
Clowes	Husted	Russell	Wiley
Comstock	Ingersoll	Sanders	Wren
Congdon	Kennedy	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 287 of the Laws of 1872, entitled 'An act to incorporate the board of Home Missions of the Presbyterian Church in the United States of America, and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, the corporate rights, franchises and privileges of the former body, and also to enable said new corporation to accept a transfer of the property of the Trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church in the United States of America, and to become the legal successor of the said last-mentioned corporation,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sipp
Andrews	Crapser	Liddle	Skinner
Baker, B. F.	Curtis	Lindsay	Slingerland
Baker, C. S.	Davis	Low	Steele
Beach	Deane	McCabe	Strait
Beates	Ellis	McCarthy	Tallmadge
Benedict, E. D.	Evans	McDonald	Terpeny
Benedict, T. E.	Ferris	Mead	Terry
Bradley	Fish	Miller	Titus
Bridges	Fiske	Mooers	Tozier
Brodsky	Fitzgerald	Newman	Travis
Bullock	Gorsline	Nowlan	Treanor
Carpenter, E. A.	Gray	O'Connor	Tully
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Gwinup	Phillips	Tuttle, R. M.
Catlin	Havens	Potts	Van Valkenburgh
Chamberlain	Hayes	Rhodes	Warner
Chase	Hoffman	Root	Waterbury
Chickering	Howland	Sanders	Wells, D. A.
Childs	Hurd	Seeley	Wells, J. L.
Clark	Husted	Shanley	Weston
Clowes	Ingersoll	Sherman	Wren
Congdon	Kennedy	Shuit	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 365 of the Laws of 1871, entitled 'An act to incorporate the New York Cotton Exchange,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }  
{ NOES 00 }.

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shanley
Andrews	Curtis	Lefever	Sheridan
Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Douglass	Low	Sisson
Beates	Duell	McAvoy	Skinner
Benedict, E. D.	Duguid	McCabe	Steele
Benedict, T. E.	Ellis	McCarthy	Strait
Bradley	Evans	Mead	Terpeny
Bridges	Ferris	Miller	Terry
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Newman	Travis
Carpenter, I. S.	Gorsline	Nowlan	Tully
Case	Gray	O'Brien	Tuthill, H. H.
Catlin	Griggs	O'Connor	Tuttle, R. M.
Chamberlain	Grosse	Parker	Van Valkenburgh
Chase	Hagan	Peck	Warner
Chickering	Havens	Phillips	Waterbury
Childs	Hayes	Potts	Wells, D. A.
Clark	Hoffman	Rhodes	Wells, J. L.
Clowes	Howland	Root	Weston
Comstock	Hurd	Russell	Wren
Congdon	Husted	Sanders	Youngs
Cookinham	Ingersoll	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the appointment of game and fish protectors," being announced for a third reading,

Mr. Crapser moved to recommit said bill to the committee on game laws, with instructions to strike out the enacting clause.

Mr. Alvord moved to lay said bill with motion on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to authorize Keeseville Union Free School District No. 1 of the towns of Ausable and Chesterfield, to borrow money and to issue bonds or certificates of indebtedness for the building and furnishing of a new school building and the purchase of a site thereto," was read a third time."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Shuit
Andrews	Curtis	Lindsay	Sipp

Baker, B. F.	Davis	Low	Sisson
Baker, C. S.	Deane	McAvoy	Skinner
Beach	Douglass	McCabe	Slingerland
Beates	Duell	McDonald	Steele
Bennett	Ellis	Mead	Tallmadge
Bradley	Evans	Miller	Terpeny
Brennan	Ferris	Mitchell	Terry
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Newman	Tozier
Bullock	Gorsline	Nowlan	Travis
Carpenter, I. S.	Gray	Parker	Tully
Case	Griggs	Peck	Tuthill, H. H.
Catlin	Grosse	Phillips	Tuttle, R. M.
Chase	Havens	Potter	Van Valkenburgh
Chickering	Hayes	Potts	Warner
Childs	Hoffman	Rhodes	Waterbury
Clark	Howland	Root	Wells, D. A.
Clowes	Hurd	Russell	Wells, J. L.
Cohen	Husted	Sanders	Weston
Congdon	Ingersoll	Shanley	Wren
Cookinham	Kennedy	Sheridan	Youngs
Crapser	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act establishing the compensation of the county judge and surrogate of the county of Rockland," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Baker, B. F.	Deane	Lindsay	Sipp
Baker, C. S.	Douglass	Low	Sisson
Beach	Duell	McAvoy	Skinner
Beates	Duguid	McCabe	Slingerland
Bradley	Ellis	McDonald	Steele
Brennan	Evans	Mead	Strait
Bridges	Ferris	Miller	Tallmadge
Brodsky	Fish	Mitchell	Terry
Bullock	Fiske	Morgan	Thilemann
Carpenter, E. A.	Fitzgerald	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	O'Brien	Treanor
Catlin	Griggs	O'Connor	Tully
Chamberlain	Grosse	Parker	Tuthill, H. H.
Chase	Hagan	Peck	Tuttle, R. M.
Childs	Havens	Phillips	Van Valkenburgh
Clark	Hayes	Potter	Waterbury
Clowes	Hoffman	Potts	Wells, D. A.
Comstock	Howland	Rhodes	Wells, J. L.
Congdon	Hurd	Root	Weston
Cookinham	Husted	Russell	Wren
Crapser	Ingersoll	Sanders	Youngs
Oullinan	Kennedy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the review and correction of illegal erroneous or unequal assessment," being announced for a third reading,

On motion of Mr. Travis and by unanimous consent, Senate bill No. 99 was substituted for said bill.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Cullinan	McCabe	Sipp
Andrews	Curtis	McCarthy	Sisson
Baker, B. F.	Davis	Mead	Skinner
Baker, C. S.	Douglass	Miller	Steele
Beach	Duell	Mitchell	Strait
Beates	Duguid	Mooers	Terpeny
Benedict, T. E.	Ellis	Nowlan	Terry
Bradley	Fiske	O'Brien	Titus
Brennan	Gorsline	Parker	Travis
Brodsky	Gray	Phillips	Tully
Bullock	Gwinup	Potter	Tuthill, H. H.
Carpenter, I. S.	Havens	Potts	Tuttle, R. M.
Case	Hayes	Rhodes	Walsh
Catlin	Howland	Root	Waterbury
Chamberlain	Hurd	Sanders	Wells, D. A.
Chase	Husted	Seeley	Wells, J. L.
Chickering	Kennedy	Shanley	Weston
Clark	Lefever	Sherman	Wren
Clowes	Liddle	Shuit	Youngs
Crapser	Low		

Those who voted in the negative, were

Carpenter, E. A.	Ferris	Hoffman	Ingersoll
Cookinham	Griggs		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE DEPARTMENT, }  
ALBANY, May 3, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 564, entitled "An act to amend chapter 356 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport and the acts amendatory thereof.'"

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**{ AYES 96 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

<b>Alvord</b>	<b>Congdon</b>	<b>Kennedy</b>	<b>Sherman</b>
<b>Andrews</b>	<b>Cookinham</b>	<b>Lefever</b>	<b>Shuit</b>
<b>Baker, B. F.</b>	<b>Crapser</b>	<b>Liddle</b>	<b>Sipp</b>
<b>Baker, C. S.</b>	<b>Curtis</b>	<b>Lindsay</b>	<b>Sisson</b>
<b>Beach</b>	<b>Davis</b>	<b>Low</b>	<b>Skinner</b>
<b>Beates</b>	<b>Deane</b>	<b>McCabe</b>	<b>Slingerland</b>
<b>Benedict, E. D.</b>	<b>Douglass</b>	<b>McCarthy</b>	<b>Steele</b>
<b>Benedict, T. E.</b>	<b>Duell</b>	<b>McDonald</b>	<b>Tallmadge</b>
<b>Bennett</b>	<b>Duguid</b>	<b>Mead</b>	<b>Terpeny</b>
<b>Brennan</b>	<b>Ellis</b>	<b>Miller</b>	<b>Terry</b>
<b>Bridges</b>	<b>Ferris</b>	<b>Mitchell</b>	<b>Titus</b>
<b>Brodsky</b>	<b>Fish</b>	<b>Mooers</b>	<b>Tozier</b>
<b>Bullock</b>	<b>Fiske</b>	<b>Newman</b>	<b>Tully</b>
<b>Carpenter, E. A.</b>	<b>Gorsline</b>	<b>Nowlan</b>	<b>Tuthill, H. H.</b>
<b>Carpenter, I. S.</b>	<b>Gray</b>	<b>O'Connor</b>	<b>Tuttle, R. M.</b>
<b>Case</b>	<b>Griggs</b>	<b>Peck</b>	<b>Van Valkenburgh</b>
<b>Oatlin</b>	<b>Gwinup</b>	<b>Phillips</b>	<b>Warner</b>
<b>Chamberlain</b>	<b>Havens</b>	<b>Potter</b>	<b>Waterbury</b>
<b>Chase</b>	<b>Hayes</b>	<b>Potts</b>	<b>Wells, D. A.</b>
<b>Chickering</b>	<b>Hoffman</b>	<b>Rhodes</b>	<b>Wells, J. L.</b>
<b>Childs</b>	<b>Howland</b>	<b>Root</b>	<b>Weston</b>
<b>Clark</b>	<b>Hurd</b>	<b>Russell</b>	<b>Wiley</b>
<b>Olowes</b>	<b>Husted</b>	<b>Sanders</b>	<b>Wren</b>
<b>Gemstock</b>	<b>Ingersoll</b>	<b>Shanley</b>	<b>Youngs</b>

**Mr. Van Valkenburgh moved to recommit said bill to the committee on affairs of cities with instructions to amend said bill in words following, and report forthwith :**

**Section 1, line 1, strike out words "subdivision 27 of section 8 of title 3" and insert "section 1 of title 6;" also, strike out lines 5, 6 and 7, down to and including word "city" in line 7.**

**Said bill, as amended, was then read a third time.**

**Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.**

**{ AYES 94 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

<b>Alvord</b>	<b>Cookinham</b>	<b>Kennedy</b>	<b>Shanley</b>
<b>Andrews</b>	<b>Cullinan</b>	<b>Lefever</b>	<b>Sheridan</b>
<b>Baker, B. F.</b>	<b>Curtis</b>	<b>Liddle</b>	<b>Sherman</b>
<b>Baker, C. S.</b>	<b>Davis</b>	<b>Lindsay</b>	<b>Shuit</b>
<b>Beach</b>	<b>Deane</b>	<b>Low</b>	<b>Sipp</b>
<b>Beates</b>	<b>Douglass</b>	<b>McAvoy</b>	<b>Skinner</b>
<b>Benedict, T. E.</b>	<b>Duell</b>	<b>McCabe</b>	<b>Slingerland</b>
<b>Bradley</b>	<b>Duguid</b>	<b>McCarthy</b>	<b>Steele</b>
<b>Brennan</b>	<b>Ellis</b>	<b>McDonald</b>	<b>Tallmadge</b>
<b>Bridges</b>	<b>Ferris</b>	<b>Mead</b>	<b>Terry</b>
<b>Brodsky</b>	<b>Fish</b>	<b>Miller</b>	<b>Thilemann</b>
<b>Bullock</b>	<b>Fiske</b>	<b>Mitchell</b>	<b>Tozier</b>
<b>Carpenter, E. A.</b>	<b>Gorsline</b>	<b>Mooers</b>	<b>Travis</b>
<b>Carpenter, I. S.</b>	<b>Gray</b>	<b>Newman</b>	<b>Tuthill, H. H.</b>
<b>Case</b>	<b>Griggs</b>	<b>Nowlan</b>	<b>Tuttle, R. M.</b>

Catlin	Grosse	Parker	Van Valkenburgh
Chamberlain	Gwinup	Peck	Warner
Chase	Hagan	Phillips	Waterbury
Chickering	Hayes	Potter	Wells, D. A.
Childs	Hoffman	Potts	Wells, J. L.
Clark	Howland	Root	Weston
Clowes	Hurd	Sanders	Wren
Cohen	Husted	Seeley	Youngs
Congdon	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 100, entitled "An act in relation to the deposit of stocks in the bank department for correction."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 3*, 1880. }

*To the Assembly :*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of LeRoy."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	McAvoy	Sisson
Beach	Douglass	McCabe	Skinner
Beates	Duell	McCarthy	Slingerland
Benedict, T. E.	Duguid	Mead	Steele
Bradley	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terry
Brodsky	Fish	Mooers	Titus
Bullock	Fiske	Newman	Tozier
Carpenter, E. A.	Gorsline	Nowlan	Travis
Carpenter, I. S.	Gray	O'Brien	Tully
Case	Griggs	Parker	Tuthill, H. H.
Catlin	Grosse	Peck	Tuttle, R. M.
Chamberlain	Gwinup	Phillips	Van Valkenburgh
Chase	Havens	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Root	Wells, D. A.

**MAY 4]**

**1907**

Clark  
Clowes  
Congdon  
Cookinham  
Crapser

Howland  
Hurd  
Husted  
Ingersoll  
Kennedy

Russell  
Sanders  
Shanley  
Sheridan

Wells, J. L. 4  
Weston  
Wren  
Youngs

Mr. Sanders moved to recommit said bill to the committee on affairs of villages with instructions to amend said bill in words following, and report forthwith:

Section 1, subdivision 13 of section 3 of title 4 of an act to amend and consolidate the charter of the village of LeRoy, is hereby amended so as to read as follows:

Section 13. To authorize the street commissioner to keep the sidewalks clean of snow, and pay the expense from the highway funds; also, to cause that portion of Main street in said village lying between Main street bridge and Cryse street to be sprinkled and kept free from dust; the necessary expense thereof shall be a charge upon the property to be benefited thereby, and shall be assessed thereon by said board of trustees in proportion to the benefit received, and shall be collected of the occupants of said property, and in the same manner as other taxes of said village are collected.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

To amend chapter 251 of the Laws of 1857, entitled "An act to amend and consolidate the charter of the village of LeRoy."

Mr. Sanders, from the committee on affairs of villages, reported said bill back to the House amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, T. E.  
Bennett  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chamberlain  
Chase  
Chickering  
Clark

Crapser  
Cullinan  
Curtis  
Davis  
Deane  
Douglass  
Duell  
Duguid  
Ellis  
Ferris  
Fish  
Fiske  
Gibbs  
Gorsline  
Gray  
Griggs  
Havens  
Hayes  
Howland  
Hurd  
Husted

Lefever  
Liddle  
Lindsay  
Low  
McCabe  
McCarthy  
Mead  
Miller  
Mitchell  
Mooers  
Newman  
Nowlan  
O'Brien  
Parker  
Peck  
Phillips  
Potts  
Rhodes  
Root  
Russell  
Sanders

Sherman  
Shuit  
Sipp  
Sisson  
Skinner  
Slingerland  
Steele  
Tallmadge  
Terry  
Thilemann  
Tormey  
Travis  
Tully  
Tuthill, H. H.  
Tuttle, R. M.  
Van Valkenburgh  
Varnum  
Warner  
Waterbury  
Wells, J. L.  
Weston



Clowes  
Comstock  
Cookinham

Ingersoll  
Kennedy

Seeley  
Shanley

Youngs  
Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Assembly "Concurrent resolution proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenue thereof," being announced for a third reading,

Mr. Curtis moved to recommit said concurrent resolution to the committee on canals with instructions to amend said resolution in words following, and report forthwith :

Strike out all after the word "contract" in line 17 of printed bill down to and including the word "forever," at the end of line 20; also, after section 6, insert the following: "The Legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, the Cayuga and Seneca canals or the Black River canal; but they shall remain the property of the State and under its management forever. Hereafter the expenditures for collection, superintendence, ordinary and extraordinary repairs on the canals named in this section shall not exceed, in any year, their gross receipts for the previous year, except as in this section hereinafter provided.

Also, after the word "legislature" in line 44, insert the following: "by a two-thirds vote of all the members elected to either branch thereof;" also, after the word "or," in line 46, insert the words "or for repairing any unforeseen or unprovided for disaster to the canals or;" also, in same line, strike out the words "of the canals" and insert the following: "thereof; and in addition thereto the Legislature may, by a two-third vote of all the members elected to either branch thereof, provide for the transfer out of any unexpended balances in the treasury to said 'canal repair trust fund,' each year, such sum or sums as will be sufficient to replace any portion of such fund used and expended in defraying the expenses necessarily incurred in repairing any unforeseen or unprovided for disaster to the said canals."

The hour of two having arrived, the House took a recess until four P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

The Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Congdon	Lefever	Strait
Andrews	Crapser	Liddle	Tallmadge
Beach	Cullinan	Lindsay	Terpeny
Beates	Curtis	Low	Thilemann
Benedict, E. D.	Davis	Mead	Titus
Bradley	Deane	Mooers	Tozier
Bridges	Duell	Newman	Travis
Brodsky	Evans	Peck	Tully
Carpenter, I. S.	Fish	Potter	Tuttle, R. M.
Case	Fiske	Potts	Van Valkenburgh
Catlin	Griggs	Root	Walsh
Chamberlain	Gwinup	Sanders	Warner

Chase	Hagan	Shanley	Waterbury
Chickering	Havens	Sherman	Wells, D. A.
Childs	Hoffman	Shuit	Wells, J. L.
Clancy	Howland	Sipp	Weston
Clark	Hurd	Sisson	Youngs
Clowes	Ingersoll	Skinner	Mr. Speaker,
Comstock	Kennedy	Steele	76

A quorum being present,

Mr. Speaker stated the pending question, at the hour of recess, was the amendments offered by Mr. Curtis.

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the negative.

{ AYES 27 }  
{ NOES 65 }

Those who voted in the affirmative, were

Andrews	Childs	Griggs	Steele
Beates	Clancy	Gwinup	Strait
Benedict, T. E.	Cohen	Havens	Tozier
Brennan	Crapser	Nowlan	Travis
Bridges	Curtis	Peck	Tuttle, R. M.
Carpenter, I. S.	Evans	Potts	Weston
Chamberlain	Fish	Rhodes	

Those who voted in the negative, were

Alvord	Deane	McDonald	Shuit
Baker, B. F.	Douglass	Mead	Sipp
Baker, C. S.	Duell	Miller	Sisson
Bradley	Duguid	Mitchell	Skinner
Brodsky	Ferris	Mooers	Tallmadge
Carpenter, E. A.	Fiske	O'Brien	Terpeny
Oatlin	Fitzgerald	O'Connor	Terry
Chickering	Gray	Phillips	Thilemann
Clark	Hayes	Potter	Titus
Clowes	Howland	Root	Tully
Comstock	Hurd	Russell	Van Valkenburgh
Congdon	Kennedy	Sanders	Walsh
Cookinham	Lefever	Seeley	Warner
Costello	Liddle	Shanley	Waterbury
Cullinan	Lindsay	Sheridan	Wells, D. A.
Cushing	Low	Sherman	Wells, J. L.
Davis			

Mr. Speaker then put the question whether the House would agree to the adoption of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }  
{ NOES 23 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Baker, B. F.	Cushing	Lefever	Sipp
Baker, C. S.	Davis	Liddle	Skinner
Beach	Deane	Lindsay	Tallmadge
Benedict, T. E.	Douglass	Low	Terpeny
Bradley	Duell	McDonald	Terry
Brodsky	Duguid	Mead	Thilemann
Bullock	Ferris	Miller	Titus

Catlin	Fiske	Mitchell	Travis
Chase	Fitzgerald	Mooers	Treanor
Chickering	Gorsline	Newman	Tully
Clancy	Gray	O'Brien	Van Valkenburgh
Clark	Hagan	O'Connor	Walsh
Clowes	Hayes	Phillips	Warner
Comstock	Hoffman	Potter	Waterbury
Congdon	Howland	Russell	Wells, J. L.
Cookinham	Hurd	Seeley	Youngs
Costello	Ingersoll	Shanley	Mr. Speaker

Those who voted in the negative, were

Andrews	Case	Griggs	Sisson
Beates	Childs	Gwinup	Steele
Benedict, E. D.	Cohen	Havens	Tozier
Brennan	Crapser	Peck	Tuttle, R. M.
Bridges	Curtis	Potts	Wiley
Carpenter, I. S.	Fish	Rhodes	

*Ordered*, That the Clerk deliver said concurrent resolution to the Senate, and request their concurrence therein.

Mr. Titus offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, for the return of Assembly bill No. 280, entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell endowment fund," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act relating to certain streets and avenues in Astoria, Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Sheridan
Andrews	Congdon	Ingersoll	Sherman
Baker, B. F.	Cookinham	Kennedy	Shuit
Baker, O. S.	Curtis	Lefever	Sipp
Beach	Davis	Liddle	Sisson
Beates	Deane	Lindsay	Skinner
Benedict, E. D.	Douglass	Low	Slingerland
Bradley	Duell	McDonald	Steele
Brennan	Duguid	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Ferris	Mitchell	Titus
Bullock	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Fitzgerald	O'Brien	Tully
Case	Gorsline	Peck	Tuttle, R. M.
Catlin	Gray	Phillips	Van Valkenburgh
Chamberlain	Griggs	Potter	Warner
Chase	Gwinup	Potts	Waterbury
Chickering	Hagan	Rhodes	Wells, D. A.

Childs	Havens	Root	Wells, J. L.
Clark	Hayes	Russell	Weston
Clowes	Hoffman	Sanders	Wiley
Cohen	Howland	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages; also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sipp
Andrews	Crapser	Liddle	Sisson
Baker, B. F.	Cullinan	Lindsay	Skinner
Baker, O. S.	Curtis	Low	Slingerland
Beach	Davis	McDonald	Steele
Beates	Deane	Mead	Strait
Benedict, E. D.	Douglass	Miller	Tallmadge
Brennan	Duell	Mitchell	Terpeny
Bridges	Duguid	Mooers	Terry
Brodsky	Evans	Newman	Titus
Bullock	Ferris	Nowlan	Tozier
Carpenter, E. A.	Fish	O'Brien	Travis
Carpenter, I. S.	Gibbs	Peck	Treanor
Case	Gorsline	Phillips	Tully
Catlin	Gray	Potts	Tuthill, H. H.
Chamberlain	Griggs	Root	Tuttle, R. M.
Chase	Hagan	Russell	Van Valkenburgh
Chickering	Hayes	Sanders	Warner
Childs	Hoffman	Seeley	Waterbury
Clark	Howland	Shanley	Wells, D. A.
Clowes	Hurd	Sheridan	Wells, J. L.
Comstock	Ingersoll	Sherman	Weston
Congdon	Kennedy	Shuit	Youngs

Those who voted in the negative, were

Benedict, T. E.	Havens	Walsh
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 4, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly,

herewith is returned, for amendment, Assembly bill No. 243, entitled "An act repealing certain acts and parts of acts."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Howland	Sanders
Andrews	Comstock	Hurd	Seeley
Baker, B. F.	Congdon	Ingersoll	Sherman
Baker, C. S.	Cookinham	Kennedy	Shuit
Beach	Crapser	Lefever	Sipp
Beates	Cullinan	Liddle	Sisson
Benedict, E. D.	Curtis	Lindsay	Slingerland
Bradley	Cushing	Low	Steele
Brennan	Deane	McCabe	Tallmadge
Bridges	Douglass	McDonald	Terpeny
Brodsky	Duell	Mead	Terry
Bullock	Duguid	Miller	Titus
Carpenter, I. S.	Ferris	Mooers	Tozier
Case	Fish	Newman	Travis
Catlin	Gorsline	Nowlan	Tuttle, R. M.
Chamberlain	Gray	O'Brien	Van Valkenburgh
Chase	Griggs	Peck	Warner
Chickering	Hagan	Phillips	Waterbury
Childs	Havens	Potter	Wells, D. A.
Clark	Hayes	Potts	Wells, J. L.
Clowes	Hoffman	Root	

On motion of Mr. Terry, and by unanimous consent, said bill was amended as follows:

1. By inserting in sub-division 2 of section 1 of the said act, immediately after the words "the concluding portion of section 58," the following words "as amended by chapter 362 of the Laws of 1863."

2. By striking out of section 1 of the said act, the following words and figures "42 of the Laws of 1836," and by inserting in place thereof the following words and figures "42 of the Laws of 1866."

3. By striking out of sub-division 4 of section 3 of the said act, the words "in a criminal action or special proceeding," and by inserting in place thereof the words "in a criminal action or a criminal special proceeding."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Shanley
Andrews	Congdon	Kennedy	Sherman

Baker, B. F.	Cookinham	Lefever	Shuit
Baker, O. S.	Crapser	Liddle	Sipp
Beach	Cullinan	Lindsay	Sisson
Beates	Curtis	Low	Skinner
Benedict, E. D.	Davis	McDonald	Steele
Brennan	Deane	Mead	Tallmadge
Bridges	Douglass	Miller	Terpeny
Brodsky	Duguid	Mitchell	Terry
Bullock	Ferris	Mooers	Titus
Carpenter, E. A.	Fish	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	Peck	Tuttle, R. M.
Catlin	Grosse	Phillips	Van Valkenburgh
Chamberlain	Hagan	Potter	Warner
Chase	Havens	Potts	Waterbury
Chickering	Hayes	Robt	Wells, J. L.
Childs	Hoffman	Russell	Weston
Clark	Howland	Seeley	Youngs
Clowes	Hurd		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 3, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 73, entitled "An act for the better protection of the traveling public."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Russell
Andrews	Congdon	Hurd	Sanders
Baker, B. F.	Cookinham	Ingersoll	Seeley
Baker, O. S.	Crapser	Kennedy	Sheridan
Beach	Cullinan	Lefever	Sherman
Beates	Curtis	Liddle	Sipp
Benedict, E. D.	Davis	Lindsay	Sisson
Benedict, T. E.	Deane	Low	Slingerland
Bradley	Douglass	McAvoy	Steele
Brennan	Duell	McDonald	Terpeny
Bridges	Duguid	Mead	Titus
Brodsky	Ellis	Miller	Tozier
Bullock	Evans	Mitchell	Travis
Carpenter, I. S.	Fish	Mooers	Tully
Case	Fiske	Newman	Tuttle, R. M.
Catlin	Gorsline	Nowlan	Van Valkenburgh
Chamberlain	Gray	O'Brien	Warner
Chase	Griggs	Peck	Waterbury
Chickering	Grosse	Phillips	Wells, D. A.

Childs  
Clark  
Clowes

Hayes  
Hoffman

Potts  
Root

Weston  
Youngs

On motion of Mr. Duguid, and by unanimous consent, said bill was amended as follows:

Insert at the beginning of section 1 the following words: "The Governor is hereby authorized, in his discretion, to appoint;" also, in section 1, line 1, after the word "all" insert the words "or any;" also, section 1, line 2, strike out the words "shall be."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Shanley
Andrews	Cookinham	Kennedy	Sheridan
Baker, B. F.	Crapser	Lefever	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	Lindsay	Sisson
Beates	Davis	Low	Skinner
Benedict, T. E.	Deane	McDonald	Slingerland
Bradley	Douglass	Mead	Steele
Brennan	Duell	Miller	Tallmadge
Bridges	Duguid	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Bullock	Ferris	Newman	Tozier
Carpenter, E. A.	Fiske	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Tully
Catlin	Gray	Parker	Tuttle, R. M.
Chamberlain	Griggs	Peck	Van Valkenburgh
Chickering	Gwinup	Phillips	Warner
Childs	Hayes	Potts	Waterbury
Clark	Hoffman	Root	Wells, J. L.
Clowes	Howland	Russell	Weston
Comstock	Hurd	Sanders	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Russell
Andrews	Congdon	Ingersoll	Seeley
Baker, B. F.	Cookinham	Kennedy	Shanley
Baker, C. S.	Crapser	Lefever	Sheridan
Beach	Cullinan	Liddle	Shuit



Beates	Davis	Lindsay	Sisson
Benedict, E. D.	Deane	Low	Skinner
Bradley	Douglass	McCabe	Steele
Brennan	Duell	McDonald	Terpeny
Bridges	Duguid	Mead	Terry
Brodsky	Ellis	Miller	Titus
Bullock	Ferris	Mitchell	Tozier
Carpenter, E. A.	Fish	Mooers	Travis
Carpenter, I. S.	Fiske	Newman	Tully
Case	Gorsline	Nowlan	Van Valkenburgh
Catlin	Gray	O'Brien	Warner
Chase	Griggs	Peck	Waterbury
Chickering	Gwinup	Phillips	Wells, J. L.
Childs	Hayes	Potter	Weston
Clark	Hoffman	Potts	Youngs
Clowes	Howland	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sipp
Andrews	Davis	Low	Sisson
Baker, B. F.	Deane	McCabe	Steele
Baker, C. S.	Douglass	McDonald	Terpeny
Beach	Duell	Mead	Terry
Beates	Duguid	Miller	Titus
Benedict, E. D.	Ellis	Mitchell	Tozier
Benedict, T. E.	Evans	Mooers	Travis
Bridges	Fiske	Newman	Tully
Brodsky	Gorsline	O'Brien	Tuttle, R. M.
Bullock	Gray	Peck	Van Valkenburgh
Carpenter, I. S.	Griggs	Phillips	Walsh
Case	Gwinup	Potter	Warner
Catlin	Hayes	Potts	Waterbury
Chamberlain	Hoffman	Rhodes	Wells, J. L.
Chickering	Howland	Root	Weston
Clark	Hurd	Seeley	Wiley
Clowes	Ingersoll	Shanley	Wren
Comstock	Kennedy	Sherman	Youngs
Congdon	Lefever	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the proper drainage of lands in the city of New York," having been announced for a third reading,

On motion of Mr. Travis said bill was amended as follows :

Strike out all of section 6 ; change subsequent section to correspond.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sheridan
Andrews	Crapser	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McCabe	Slingerland
Benedict, E. D.	Duell	McDonald	Steele
Benedict, T. E.	Duguid	Mead	Tallmadge
Brennan	Ellis	Miller	Terpeny
Bridges	Ferris	Mitchell	Terry
Brotsky	Fish	Morgan	Titus
Bullock	Gorsline	Newman	Tozier
Carpenter, I. S.	Gray	Nowlan	Travis
Case	Griggs	Peck	Tuttle, R. M.
Catlin	Gwinup	Phillips	Van Valkenburgh
Chase	Havens	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Root	Wells, D. A.
Clark	Howland	Russell	Weston
Clowes	Hurd	Sanders	Wren
Comstock	Ingersoll	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McCabe	Skinner
Benedict, E. D.	Duell	McDonald	Steele
Benedict, T. E.	Evans	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Brotsky	Fish	Mitchell	Titus
Bullock	Gorsline	Mooers	Tozier
Carpenter, E. A.	Gray	Newman	Tuthill, H. H.
Carpenter, I. S.	Griggs	Nowlan	Tuttle, R. M.
Case	Gwinup	Peck	Van Valkenburgh
Catlin	Havens	Phillips	Warner
Chase	Hayes	Potter	Waterbury
Chickering	Hoffman	Potts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.

Clowes  
Comstock  
Congdon

Hurd  
Ingersoll

Russell  
Seeley

Weston  
Wiley

Those who voted in the negative, were  
Travis

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to alter the boundary line between the towns of Durham and Windham in the county of Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sipp
Andrews	Cullinan	Lefever	Skinner
Baker, B. F.	Curtis	Liddle	Slingerland
Baker, O. S.	Davis	Lindsay	Steele
Beach	Deane	Low	Strait
Beates	Douglass	McDonald	Tallmadge
Benedict, E. D.	Duell	Mead	Terpeny
Benedict, T. E.	Evans	Miller	Terry
Brennan	Ferris	Mitchell	Titus
Brodsky	Fish	Mooers	Tozier
Bullock	Gorsline	Nowlan	Travis
Carpenter, E. A.	Gray	Peck	Tully
Case	Griggs	Phillips	Tuthill, H. H.
Catlin	Grosse	Potter	Tuttle, R. M.
Chamberlain	Gwinup	Potts	Van Valkenburgh
Chase	Havens	Root	Warner
Childs	Hayes	Sanders	Waterbury
Clark	Hoffman	Shanley	Wells, J. L.
Clowes	Howland	Sherman	Weston
Comstock	Hurd	Shuit	Wiley
Congdon	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The concurrent resolution proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution, providing for biennial sessions of the Legislature, having been announced for a third reading,

Mr. Bradley moved to recommit the same to the committee on the judiciary, with instructions to amend the same as follows:

Page 2, line 4, after the words "chosen for" strike out the word "four" and insert the word "two."

Page 3, line 38, after the words "salary of" strike out the words "seven hundred and fifty" and insert the words "fifteen hundred."

Strike out all of line 41, except the word "route;" all of line 42, and all of line 43, except the words "when the Senate is."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said resolution was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Congdon	Hoffman	Root
Andrews	Cookinham	Howland	Russell
Baker, B. F.	Crapser	Hurd	Sanders
Baker, C. S.	Cullinan	Husted	Seeley
Beach	Curtis	Ingersoll	Sherman
Benedict, E. D.	Davis	Kennedy	Shuit
Benedict, T. E.	Deane	Lefever	Sipp
Brennan	Douglass	Low	Sisson
Bridges	Duell	McCabe	Skinner
Brodsky	Duguid	Mead	Steele
Bullock	Ellis	Miller	Strait
Carpenter, I. S.	Evans	Mitchell	Terry
Case	Ferris	Nowlan	Tozier
Chamberlain	Fish	O'Brien	Treanor
Chase	Fiske	Parker	Tuthill, H. H.
Chickering	Gorsline	Peck	Tuttle, R. M.
Childs	Gray	Phillips	Waterbury
Clark	Grosse	Potter	Weston
Cohen	Gwinup	Potts	Youngs
Comstock	Hagan	Rhodes	

Those who voted in the negative, were

Beates	Griggs	O'Connor	Tully
Bradley	Havens	Shanley	Van Valkenburgh
Carpenter, E. A.	Hayes	Tallmadge	Walsh
Clowes	Liddle	Terpeny	Warner
Costello	Lindsay	Thilemann	Wells, J. L.
Cushing	McDonald	Titus	Wiley
Fitzgerald	Mooers	Travis	Mr. Speaker

*Ordered*, That the Clerk deliver said concurrent resolution to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to alter the boundary line between the towns of Durham and Windham, in the county of Greene."

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplemental thereto.'"

"An act to release the interest of the People of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson."

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878.'"

"An act relating to certain streets and avenues in Astoria, Long Island City."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages.'"

"An act to establish a police pension fund for disabled and retired

members and the widows and children of deceased members of the police department of the city of New York."

"An act to authorize the incorporation of The Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations."

"An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company."

"An act to provide for the proper drainage of lands in the city of New York."

"An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain."

"An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county.'"

Senate bill entitled "An act prohibiting the sale or giving of spirituous liquor or wine to inmates of the New York State Soldiers and Sailors' Home," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 70 }  
} NOES 25 }

Those who voted in the affirmative, were

Alvord	Clowes	Hayes	Potts
Andrews	Comstock	Howland	Rhodes
Baker, B. F.	Congdon	Husted	Root
Baker, C. S.	Cookinham	Ingersoll	Russell
Beach	Crapser	Kennedy	Sanders
Beates	Cullinan	Lefever	Seeley
Benedict, E. D.	Curtis	Liddle	Sherman
Benedict, T. E.	Davis	Low	Sisson
Brennan	Deane	McCabe	Skinner
Bridges	Douglass	Mead	Steele
Bullock	Duell	Miller	Tallmadge
Carpenter, E. A.	Ellis	Mitchell	Titus
Carpenter, I. S.	Evans	Mooers	Tozier
Case	Ferris	Nowlan	Tuthill, H. H.
Chamberlain	Fish	O'Brien	Tuttle, R. M.
Chase	Fiske	Phillips	Wells, D. A.
Chickering	Gorsline	Potter	Weston
Childs	Gray		

Those who voted in the negative, were

Bradley	Grosse	O'Connor	Terpeny
Brodsky	Gwinup	Parker	Thilemann
Catlin	Hagan	Peck	Treanor
Clark	Hoffman	Shanley	Tully
Cohen	Lindsay	Sipp	Walsh
Cushing	McDonald	Strait	Waterbury
Fitzgerald			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to establish a State Board of Health," being announced for a third reading,

Mr. Travis moved to recommit said bill to the committee on public health, with instructions to amend said bill in words following, and report forthwith:

Add at the end of section 7: "And the State Board of Health shall also prepare the necessary methods and forms, and prescribe the rules regulating the issue and use of transfer permits, with the proper coupons attached thereto, for the transportation of the dead bodies of persons which are to be carried for burial beyond the limit of the counties where the death occurs, shall be valid; and in all cases the said State Board of Health shall require coupons to be attached to such permits, to be detached and preserved or returned by every common carrier, or the person in charge of any vessel, railroad train or vehicle to whom any such dead bodies shall be delivered for transportation. Any violation of such rules and regulations shall be a misdemeanor.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bullock, from the committee on public health, reported said bill back to the House, amended as instructed.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 54 }  
{ NOES 38 }

Those who voted in the affirmative, were

Andrews	Deane	Liddle	Sherman
Baker, B. F.	Douglass	Low	Sipp
Baker, C. S.	Duell	McCabe	Sisson
Bradley	Evans	Miller	Skinner
Brodsky	Fiske	Mitchell	Steele
Bullock	Gray	Nowlan	Terpeny
Catlin	Grosse	O'Brien	Titus
Chamberlain	Havens	Phillips	Tozier
Clark	Hayes	Potter	Travis
Clowes	Howland	Root	Tuttle, R. M.
Comstock	Husted	Russell	Wells, D. A.
Cookinham	Ingersoll	Sanders	Wells, J. L.
Cullinan	Kennedy	Seeley	Youngs
Davis	Lefever		

Those who voted in the negative, were

Alvord	Cohen	Hagan	Shuit
Beach	Crapser	Hoffman	Slingerland
Benedict, E. D.	Curtis	McDonald	Strait
Benedict, T. E.	Cushing	Newman	Thilemann
Brennan	Duguid	O'Connor	Treanor
Bridges	Ellis	Parker	Tuthill, H. H.
Carpenter, E. A.	Ferris	Peck	Walsh
Chickering	Fitzgerald	Rhodes	Waterbury
Childs	Gorsline	Shanley	Wiley
Claney	Gwinup		

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that said motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of six having arrived, the House adjourned.

## WEDNESDAY MORNING, MAY 5, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Battershall.

The journal of yesterday was read and approved.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Cushing	Lefever	Seeley
Baker, C. S.	Davis	Lindsay	Sherman
Beates	Deane	Low	Shuit
Benedict, T. E.	Douglass	McAvoy	Skinner
Bennett	Duell	McCabe	Steele
Bradley	Ellis	McDonald	Terpeny
Brennan	Evans	Mead	Terry
Bridges	Ferris	Miller	Thilemann
Brodsky	Fish	Mooers	Titus
Bullock	Fiske	Newman	Tozier
Carpenter, E. A.	Fitzgerald	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Treanor
Case	Griggs	Parker	Tully
Chamberlain	Gwinup	Peck	Tuthill, H. H.
Chickering	Havens	Phillips	Tuttle, R. M.
Childs	Hoffman	Potts	Varnum
Congdon	Howland	Rhodes	Wells, J. L.
Cookinham	Hurd	Root	Weston
Crapsier	Ingersoll	Russell	Mr. Speaker
Cullinan			

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A quorum being present.

A message from the Senate was received and read informing of concurrence in the resolution asking the Governor to return Assembly bill No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter as amended by chapter 166 of the Laws of 1877,'" for amendment; also, the resolution asking the Governor to return Assembly bill No. 331, general orders No. 357, entitled "An act in relation to a certain bridge over the Erie canal on Mill street, in the city of Lockport," for amendment.

*Ordered*, That the Clerk deliver said resolutions to the Governor.

The bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading,

Mr. Newman moved that said bill be laid on the table, and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hayes moved to reconsider the vote by which the motion of Mr. Newman was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said motion was lost, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to lay said bill on the table, and ordered printed, and it was determined in the affirmative.



Senate bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Douglass	Lindsay	Shanley
Andrews	Duell	Low	Sheridan
Baker, C. S.	Duguid	McAvoy	Shuit
Beach	Ellis	McCabe	Sisson
Beates	Evans	McDonald	Skinner
Benedict, E. D.	Ferris	Mead	Slingerland
Bradley	Fish	Miller	Steele
Brennan	Fiske	Mooers	Tallmadge
Bridges	Gibbs	Newman	Terpeny
Brodsky	Gorsline	Nowlan	Titus
Carpenter, E. A.	Gray	O'Brien	Tozier
Carpenter, I. S.	Griggs	O'Connor	Travis
Case	Gwinup	Parker	Treanor
Chamberlain	Havens	Peck	Tully
Chase	Hayes	Phillips	Tuthill, H. H.
Chickering	Hoffman	Potts	Tuttle, R. M.
Childs	Howland	Rhodes	Waterbury
Congdon	Hurd	Root	Wells, D. A.
Cookinham	Ingersoll	Russell	Wells, J. L.
Cullinan	Kennedy	Sanders	Weston
Davis	Lefever	Seeley	Youngs
Deane	Liddle		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 142 of the Laws of 1879, entitled "An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion, and the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, C. S.	Deane	Low	Shuit
Beach	Douglass	McAvoy	Sipp
Beates	Duell	McCabe	Sisson
Benedict, T. E.	Duguid	McDonald	Skinner
Bradley	Evans	Mead	Slingerland

Brennan	Ferris	Miller	Steele
Bridges	Fish	Mitchell	Tallmadge
Brodsky	Fiske	Mooers	Terpeny
Bullock	Gibbs	Newman	Terry
Carpenter, E. A.	Gorsline	Nowlan	Titus
Carpenter, I. S.	Gray	O'Brien	Tozier
Case	Griggs	Parker	Travis
Chase	Havens	Peck	Treanor
Chickering	Hayes	Phillips	Tuthill, H. H.
Childs	Hoffman	Potts	Tuttle, R. M.
Clowes	Howland	Rhodes	Warner
Congdon	Hurd	Root	Waterbury
Cookinham	Ingersoll	Russell	Wells, D. A.
Cullinan	Kennedy	Sanders	Wells, J. L.
Curtis	Lefever	Seeley	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the protection of mechanics and others," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Seeley
Andrews	Davis	Lefever	Shanley
Baker, C. S.	Deane	Liddle	Sherman
Beach	Douglass	Lindsay	Shuit
Beates	Duell	Low	Sipp
Benedict, T. E.	Duguid	McAvoy	Sisson
Bradley	Ellis	McCabe	Skinner
Brennan	Evans	McDonald	Slingerland
Bridges	Ferris	Mead	Steele
Brodsky	Fish	Miller	Strait
Bullock	Fiske	Mitchell	Terry
Carpenter, E. A.	Fitzgerald	Mooers	Titus
Carpenter, I. S.	Gibbs	Newman	Tozier
Catlin	Gorsline	Nowlan	Travis
Chase	Griggs	O'Brien	Treanor
Chickering	Gwinup	Parker	Tully
Childs	Havens	Peck	Tuttle, R. M.
Congdon	Hayes	Phillips	Van Valkenburgh
Cookinham	Hoffman	Potts	Warner
Crapser	Howland	Root	Waterbury
Cullinan	Hurd	Russell	Wells, J. L.
Curtis	Ingersoll	Sanders	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Shuit
Andrews	Davis	McAvoy	Sipp
Baker, C. S.	Deane	McCabe	Sisson
Beach	Douglass	McDonald	Skinner
Beates	Duell	Mead	Steele
Benedict, T. E.	Duguid	Miller	Tallmadge
Bradley	Ellis	Mitchell	Terpeny
Brennan	Evans	Mooers	Terry
Bridges	Ferris	Newman	Titus
Brodsky	Fish	Nowlan	Tozier
Bullock	Fitzgerald	O'Brien	Travis
Carpenter, E. A.	Gorsline	O'Connor	Treanor
Carpenter, I. S.	Griggs	Parker	Tully
Case	Gwinup	Peck	Tuthill, H. H.
Catlin	Hayes	Phillips	Tuttle, R. M.
Chamberlain	Hoffman	Potts	Van Valkenburgh
Chase	Howland	Rhodes	Warner
Childs	Hurd	Root	Waterbury
Congdon	Ingersoll	Sanders	Wells, D. A.
Cookinham	Kennedy	Seeley	Wells, J. L.
Costello	Lefever	Shanley	Weston
Crapser	Liddle	Sheridan	Youngs
Cullinan	Lindsay		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Sherman
Andrews	Davis	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sipp
Beach	Douglass	Lindsay	Sisson
Beates	Duell	Low	Skinner
Benedict, T. E.	Duguid	McCabe	Steele
Bradley	Ellis	McDonald	Strait
Brennan	Evans	Miller	Tallmadge
Bridges	Ferris	Mitchell	Terpeny
Brodsky	Fish	Mooers	Terry
Bullock	Fiske	Newman	Thilemann
Carpenter, E. A.	Gillette	Nowlan	Titus
Carpenter, I. S.	Gorsline	Parker	Tozier
Case	Gray	Peck	Travis
Catlin	Griggs	Phillips	Treanor

Chamberlain	Gwinup	Potts	Tutbill, H. H.
Chase	Hagan	Rhodes	Tuttle, R. M.
Childs	Havens	Root	Van Valkenburgh
Congdon	Hayes	Russell	Waterbury
Cookinham	Hoffman	Sanders	Wells, D. A.
Crapser	Howland	Seeley	Wells, J. L.
Cullinan	Hurd	Shanley	Weston
Curtis	Ingersoll	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the State Charities Aid Association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Deane	Low	Sipp
Baker, C. S.	Douglass	McAvoy	Sisson
Beach	Duell	McCabe	Skinner
Beates	Duguid	McDonald	Steele
Benedict, E. D.	Evans	Miller	Tallmadge
Bradley	Ferris	Mitchell	Terpeny
Brennan	Fish	Mooers	Terry
Bridges	Fiske	Newman	Thilemann
Brodsky	Fitzgerald	Nowlan	Titus
Bullock	Gillette	O'Brien	Tozier
Carpenter, E. A.	Gorsline	O'Connor	Tully
Carpenter, I. S.	Gray	Parker	Tuttle, R. M.
Case	Griggs	Peck	Van Valkenburgh
Catlin	Hayes	Phillips	Warner
Chase	Hoffman	Potts	Waterbury
Chickering	Howland	Rhodes	Wells, D. A.
Childs	Hurd	Root	Wells, J. L.
Clowes	Husted	Russell	Weston
Congdon	Ingersoll	Seeley	Youngs
Cookinham	Kennedy	Shanley	Mr. Speaker
Curtis	Lefever	Sheridan	

Those who voted in the negative, were

Crapser	Gwinup	Travis
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker presented a report and accompanying documents submitted by the committee on insurance, in obedience to resolutions adopted by the Assembly, March 31 and April 6, 1880; which was laid on the table and ordered printed.

(See Doc. No. 124.)

Senate bill entitled "An act to amend section 3 of title 2 of chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof, passed March 20, 1857,'"

was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Andrews	Curtis	Lefever	Sheridan
Baker, B. F.	Cushing	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McAvoy	Skinner
Benedict, E. D.	Duell	McCabe	Slingerland
Bradley	Duguid	McDonald	Steele
Brennan	Ellis	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Ferris	Mitchell	Terry
Bullock	Fish	Mooers	Titus
Carpenter, E. A.	Fiske	Newman	Tozier
Carpenter, I. S.	Fitzgerald	Nowlan	Travis
Case	Gillette	O'Brien	Tully
Catlin	Gorsline	O'Connor	Tuthill, H. H.
Chamberlain	Gray	Parker	Van Valkenburgh
Chase	Hagan	Peck	Warner
Chickering	Hayes	Potts	Waterbury
Clancy	Hoffman	Rhodes	Wells, D. A.
Clowes	Howland	Root	Wells, J. L.
Congdon	Hurd	Russell	Weston
Cookinham	Husted	Sanders	Youngs
Crapser	Ingersoll		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Shuit
Andrews	Crapser	Kennedy	Sipp
Baker, B. F.	Cullinan	Lefever	Sisson
Baker, C. S.	Curtis	Liddle	Skinner
Beach	Cushing	Lindsay	Slingerland
Beates	Davis	Low	Steele
Benedict, E. D.	Deane	McAvoy	Strait
Brennan	Douglass	McCabe	Tallmadge
Bridges	Duell	McDonald	Terpeny
Brodsky	Duguid	Miller	Titus
Bullock	Ellis	Mitchell	Tozier
Carpenter, E. A.	Evans	Newman	Travis

Carpenter, I. S.	Fish	Nowlan	Treanor
Oase	Fiske	O'Brien	Tuttle, R. M.
Catlin	Fitzgerald	Phillips	Van Valkenburgh
Chamberlain	Gillette	Russell	Warner
Chase	Hayes	Sanders	Waterbury
Chickering	Hoffman	Seeley	Wells, D. A.
Childs	Howland	Shanley	Wells, J. L.
Clowes	Hurd	Sheridan	Weston
Comstock	Husted	Sherman	Youngs
Congdon			

Those who voted in the negative, were

Griggs	Mooers	Parker	Potts
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Russell
Andrews	Cullinan	Hurd	Seeley
Baker, B. F.	Curtis	Husted	Sherman
Baker, C. S.	Cushing	Ingersoll	Shuit
Beach	Davis	Kennedy	Sipp
Beates	Deane	Lefever	Sisson
Benedict, T. E.	Douglass	Liddle	Skinner
Bennett	Duell	Lindsay	Steele
Bradley	Duguid	Low	Strait
Brennan	Ellis	McCabe	Tallmadge
Bridges	Evans	McDonald	Terpeny
Brodsky	Ferris	Mead	Titus
Bullock	Fish	Miller	Tozier
Carpenter, E. A.	Fiske	Mitchell	Travis
Carpenter, I. S.	Gillette	Mooers	Tuthill, H. H.
Case	Gorsline	Newman	Tuttle, R. M.
Catlin	Gray	Nowlan	Van Valkenburgh
Chamberlain	Griggs	Parker	Warner
Chase	Gwinup	Peck	Waterbury
Chickering	Hagan	Phillips	Wells, D. A.
Clowes	Havens	Potts	Wells, J. L.
Comstock	Hayes	Rhodes	Weston
Congdon	Hoffman	Root	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Milford, in the county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Baker, B. F.	Davis	Liddle	Sipp
Baker, C. S.	Deane	Lindsay	Sisson
Beach	Douglass	Low	Skinner
Beates	Duell	McCabe	Slingerland
Benedict, E. D.	Duguid	McDonald	Steele
Bradley	Evans	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mitchell	Terry
Brodsky	Gillette	Mooers	Titus
Bullock	Gorsline	Newman	Tozier
Carpenter, E. A.	Gray	Nowlan	Travis
Carpenter, I. S.	Griggs	Parker	Tuthill, H. H.
Case	Hagan	Peck	Tuttle, R. M.
Catlin	Havens	Phillips	Van Valkenburgh
Chase	Hayes	Potts	Warner
Childs	Hoffman	Rhodes	Waterbury
Clowes	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Weston
Cookinham	Ingersoll	Seeley	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Shuit
Andrews	Curtis	Lefever	Sipp
Baker, B. F.	Davis	Liddle	Sisson
Baker, C. S.	Deane	Lindsay	Skinner
Beach	Douglass	Low	Slingerland
Beates	Duell	McAvoy	Steele
Benedict, T. E.	Duguid	McCabe	Tallmadge
Bradley	Evans	Mead	Terpeny
Brennan	Ferris	Miller	Terry
Bridges	Fish	Mitchell	Titus
Brodsky	Gillette	Mooers	Tozier
Bullock	Gorsline	Newman	Travis
Carpenter, E. A.	Gray	Nowlan	Tully
Carpenter, I. S.	Griggs	O'Connor	Tuthill, H. H.
Catlin	Hagan	Phillips	Tuttle, R. M.
Chase	Havens	Potts	Van Valkenburgh
Childs	Hayes	Rhodes	Warner
Clark	Hoffman	Root	Waterbury



Clowes	Howland	Sanders	Wells, D. A.
Comstock	Hurd	Seeley	Wells, J. L.
Congdon	Husted	Shanley	Weston
Cookinham	Ingersoll	Sherman	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Wm. H. Carver," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Shuit
Andrews	Curtis	Lefever	Sipp
Baker, B. F.	Davis	Liddle	Sisson
Baker, C. S.	Deane	Lindsay	Skinner
Beach	Douglass	Low	Slingerland
Beates	Duell	McCabe	Steele
Benedict, T. E.	Duguid	McDonald	Strait
Brennan	Ellis	Mead	Tallmadge
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tormey
Carpenter, E. A.	Gillette	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	Parker	Tully
Catlin	Gwinup	Peck	Tuthill, H. H.
Chase	Hagan	Phillips	Van Valkenburgh
Chickering	Havens	Potts	Warner
Childs	Hayes	Rhodes	Waterbury
Clowes	Hoffman	Root	Wells, D. A.
Comstock	Howland	Russell	Wells, J. L.
Congdon	Hurd	Sanders	Weston
Cookinham	Husted	Seeley	Youngs
Crapser	Ingersoll	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the People of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sherman
Andrews	Cushing	Lefever	Sipp
Baker, B. F.	Davis	Liddle	Sisson
Baker, C. S.	Deane	Lindsay	Skinner

Beach	Douglass	Low	Slingerland
Beates	Duell	McCabe	Steele
Benedict, T. E.	Duguid	Mead	Tallmadge
Brennan	Ellis	Miller	Terpeny
Bridges	Ferris	Mitchell	Terry
Brodsky	Fish	Mooers	Titus
Bullock	Fiske	Newman	Tozier
Carpenter, E. A.	Gibbs	Nowlan	Travis
Carpenter, I. S.	Gillette	O'Connor	Treanor
Case	Gorsline	Peck	Tuthill, H. H.
Catlin	Griggs	Phillips	Tuttle, R. M.
Chase	Hagan	Potts	Van Valkenburgh,
Chickering	Havens	Rhodes	Warner
Childs	Hayes	Root	Waterbury
Clowes	Hoffman	Russell	Wells, D. A.
Comstock	Howland	Sanders	Wells, J. L.
Congdon	Hurd	Shanley	Weston
Cookinham	Ingersoll	Sheridan	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 306 of the Laws of 1866, entitled "An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act so far as said acts may be applicable to the present town of Huntington in said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sheridan
Andrews	Cushing	Lefever	Sherman
Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Douglass	Low	Sisson
Beates	Duell	McCabe	Skinner
Benedict, E. D.	Duguid	McDonald	Steele
Brennan	Ellis	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Ferris	Mitchell	Terry
Bullock	Fish	Mooers	Thilemann
Carpenter, E. A.	Fiske	Newman	Titus
Carpenter, I. S.	Gillette	Nowlan	Tozier
Catlin	Gorsline	Parker	Travis
Chamberlain	Gray	Peck	Tully
Chase	Griggs	Phillips	Tuthill, H. H.
Chickering	Havens	Potts	Van Valkenburgh
Childs	Hayes	Rhodes	Warner
Clowes	Hoffman	Root	Waterbury
Comstock	Howland	Russell	Wells, D. A.
Congdon	Hurd	Sanders	Weston
Cookinham	Ingersoll	Seeley	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to incorporate the Maenner Gesang Verein Eichenkranz," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sipp
Andrews	Davis	McCabe	Sisson
Baker, B. F.	Deane	McDonald	Skinner
Baker, C. S.	Douglass	Mead	Slingerland
Beach	Duell	Miller	Strait
Beates	Duguid	Mitchell	Tallmadge
Brennan	Ellis	Mooers	Terpeny
Bridges	Evans	Newman	Terry
Brodsky	Ferris	Nowlan	Titus
Bullock	Fish	O'Connor	Tozier
Carpenter, E. A.	Fiske	Parker	Travis
Carpenter, I. S.	Gorsline	Peck	Tully
Case	Gray	Phillips	Tuthill, H. H.
Catlin	Hayes	Potts	Van Valkenburgh
Chamberlain	Hoffman	Root	Warner
Chickering	Howland	Russell	Waterbury
Clowes	Hurd	Sanders	Wells, D. A.
Comstock	Ingersoll	Seeley	Wells, J. L.
Congdon	Kennedy	Sherman	Weston
Cookinham	Lefever	Shuit	Youngs
Cullinan	Liddle		

Those who voted in the negative, were

Crapeer                      Grosse

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Seeley
Andrews	Davis	Lefever	Sherman
Baker, B. F.	Deane	Liddle	Shuit
Baker, C. S.	Douglass	Lindsay	Sipp
Beach	Duell	Low	Sisson
Beates	Duguid	McCabe	Skinner

Bradley	Ellis	McDonald	Steele
Brennan	Evans	Mead	Strait
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Terry
Bullock	Fiske	Mooers	Titus
Carpenter, E. A.	Gillette	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	O'Brien	Tully
Catlin	Griggs	O'Connor	Van Valkenburgh
Chase	Gwinup	Parker	Warner
Chickering	Havens	Peck	Waterbury
Clowes	Hayes	Phillips	Wells, D. A.
Comstock	Hoffman	Potts	Wells, J. L.
Congdon	Howland	Root	Weston
Cookinham	Hurd	Russell	Wren
Cullinan	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee of ways and means, with instructions to amend the same in words following, and report forthwith:

1. Strike out all after the word "follows," in the 9th line, down to and including the word "cents" in the 11th line, being all that relates to the claim of Francis Swift.

2. Strike out all after the word "cents," in the 11th line, down to and including the word "dollars" in the 12th line, being all that relates to the claim of Charles Danolds.

3. Strike out all after the word "dollars," in the 12th line, down to and including the word "dollars" in the 14th line, being all that relates to the claim of George Worthington.

Division being called for,

Mr. Speaker put the question whether the House would agree to the motion to recommit with instructions to strike out appropriation to Francis Swift, and it was determined in the affirmative.

{ AYES 58 }  
{ NOES 51 }

Those who voted in the affirmative, were

Baker, B. F.	Crapser	Havens	Sipp
Beach	Cullinan	Hoffman	Skinner
Benedict, T. E.	Curtis	Howland	Slingerland
Bradley	Davis	Hurd	Steele
Brennan	Douglass	Kennedy	Strait
Bridges	Duell	McCabe	Travis
Bullock	Duguid	Miller	Tuthill, H. H.
Carpenter, E. A.	Ellis	Mitchell	Tuttle, R. M.
Case	Evans	Parker	Van Valkenburgh
Chamberlain	Ferris	Peck	Varnum
Chickering	Fish	Root	Warner
Childs	Gorsline	Sanders	Waterbury
Clancy	Gray	Seeley	Weston
Congdon	Grosse	Sherman	Youngs
Cookinham	Gwinup		

Those who voted in the negative, were

Alvord	Gillette	Mooers	Tallmadge
Andrews	Hagan	Newman	Terpeny
Baker, O. S.	Hayes	Nowlan	Terry
Benedict, E. D.	Husted	O'Brien	Thilemann
Bennett	Ingersoll	O'Connor	Titus
Brodsky	Lefever	Phillips	Tormey
Chase	Liddle	Potter	Tozier
Clark	Lindsay	Potts	Tully
Comstock	Low	Rhodes	Walsh
Cushing	McAvoy	Shanley	Wells, J. L.
Dougherty	McDonald	Sheridan	Wiley
Fitzgerald	McTernan	Shuit	Wren
Gibbs	Mead	Sisson	

Mr. Speaker put the question whether the House would agree to the motion to recommit with instructions to strike out appropriation to Charles Danolds, and it was determined in the affirmative.

{ AYES 62 }  
{ NOES 46 }

Those who voted in the affirmative, were

Baker, B. F.	Costello	Hoffman	Sipp
Beach	Crapser	Howland	Skinner
Benedict, T. E.	Cullinan	Hurd	Slingerland
Bradley	Curtis	Kennedy	Steele
Brennan	Davis	Liddle	Strait
Bridges	Duell	Low	Tormey
Bullock	Duguid	McCabe	Travis
Carpenter, E. A.	Ellis	McDonald	Tuthill, H. H.
Case	Evans	Miller	Tuttle, R. M.
Chamberlain	Ferris	Mitchell	Van Valkenburgh
Chickering	Fish	Parker	Varnum
Childs	Gorsline	Peck	Walsh
Clancy	Gray	Root	Warner
Cohen	Grosse	Sherman	Waterbury
Congdon	Gwinup	Shuit	Wells, J. L.
Cookinham	Havens		

Those who voted in the negative, were

Alvord	Dougherty	Mooers	Sheridan
Andrews	Fitzgerald	Newman	Sisson
Baker, C. S.	Gibbs	Nowlan	Tallmadge
Benedict, E. D.	Gillette	O'Brien	Terpeny
Bennett	Hayes	O'Connor	Terry
Brodsky	Husted	Phillips	Thilemann
Carpenter, I. S.	Ingersoll	Potter	Tozier
Oatlin	Lefever	Potts	Tully
Chase	Lindsay	Rhodes	Weston
Clark	McAvoy	Seeley	Wiley
Comstock	McTernan	Shanley	Wren
Cushing	Mead		

Mr. Husted moved that said bill, with amendments, do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion to strike out the claim of George Worthington, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Mr. Brennan moved to recommit said bill to the committee on ways and means, with instructions to amend said bills in words following, and report forthwith:

Strike out the words "of one hundred and fifty thousand five hundred and eighty-six dollars and ninety cents," and insert in lieu thereof "fifteen thousand four hundred and forty-nine dollars and twenty-eight cents."

Mr. Speaker put the question whether the House would agree to the motion to recommit, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Sipp
Andrews	Cullinan	Low	Skinner
Baker, B. F.	Curtis	McCabe	Slingerland
Baker, C. S.	Davis	Miller	Steele
Beach	Deane	Mitchell	Tallmadge
Beates	Douglass	Mooers	Terry
Benedict, E. D.	Duell	Nowlan	Titus
Bradley	Duguid	O'Brien	Tozier
Brennan	Ellis	Parker	Travis
Bridges	Evans	Peck	Tully
Brodsky	Ferris	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gillette	Potter	Tuttle, R. M.
Carpenter, I. S.	Gray	Potts	Van Valkenburgh
Case	Hayes	Root	Varnum
Catlin	Howland	Russell	Wells, D. A.
Chamberlain	Hurd	Sanders	Wells, J. L.
Chase	Husted	Seeley	Weston
Chickering	Ingersoll	Sherman	Wiley
Childs	Kennedy	Shuit	Youngs
Congdon	Lefever		

Those who voted in the negative, were

Benedict, T. E.	Gorsline	Hoffman	Sheridan
Clancy	Grosse	McAvoy	Tormey
Costello	Gwinup	Newman	Warner
Orapser	Havens	Shanley	Waterbury
Gibbs			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. 132.)

Senate bill entitled "An act to amend chapter 290 of the Laws of 1872, entitled 'An act to authorize the Blossburg Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Com-

pany, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, to hold real estate for the purposes of business,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Seeley
Andrews	Curtis	Kennedy	Sheridan
Baker, C. S.	Davis	Lefever	Sherman
Beach	Deane	Liddle	Shuit
Beates	Douglass	Lindsay	Sipp
Benedict, E. D.	Duell	Low	Skinner
Benedict, T. E.	Duguid	McCabe	Slingerland
Bradley	Ellis	McDonald	Steele
Brennan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Terry
Bullock	Fiske	Mooers	Titus
Carpenter, E. A.	Gillette	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Catlin	Griggs	O'Brien	Tuthill, H. H.
Chamberlain	Gwinup	Parker	Tuttle, R. M.
Chase	Havens	Phillips	Van Valkenburgh
Chickering	Hayes	Potter	Warner
Clark	Hoffman	Potts	Waterbury
Comstock	Howland	Root	Wells, J. L.
Congdon	Hurd	Russell	Weston
Cookinham	Husted	Sanders	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the dimensions and measurement of apple barrels," being announced for a third reading,

Mr. Gray moved to recommit said bill to the committee on internal affairs, with instructions to amend the same in words following, and report forthwith :

Section 1, line 2, strike out after the word "twenty" "eight and one-half," and insert in lieu thereof "nine;" line 3, after the word "inches" insert "one eighth;" line 4, after the word "sixty" insert "two;" same line, after the word "circumference" insert "and the quarler bulge not less than fifty-nine inches."

Mr. Sherman moved to amend the amendment by striking out the word "nine" and insert "seven."

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Sherman, and it was determined in the negative.

Mr. Alvord moved to further instruct the committee to strike out all after the enacting clause, and insert: "Hereafter all apples shall be sold by the pound, when no agreement for a different method shall be agreed upon between the seller and buyer."

Mr. Skinner moved the previous question.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.



Mr. Speaker then put the question whether the House would agree to the motion of Mr. Gray to recommit said bill for amendment, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 22 }  
{ NOES 70 }

Those who voted in the affirmative, were

Alvord	Bridges	Grosse	Root
Beach	Carpenter, I. S.	Gwinup	Sherman
Beates	Catlin	Hoffman	Sisson
Benedict, E. D.	Clancy	Kennedy	Tuttle, R. M.
Bradley	Costello	Lefever	Weston
Brennan	Duguid		

Those who voted in the negative, were

Andrews	Douglass	McDonald	Skinner
Baker, C. S.	Ellis	McTernan	Slingerland
Bennett	Evans	Mead	Tallmadge
Bullock	Ferris	Miller	Terpeny
Carpenter, E. A.	Fish	Mitchell	Thilemann
Childs	Fiske	Newman	Tormey
Clowes	Fitzgerald}	Nowlan	Travis
Cohen	Gibbs	O'Connor	Tuthill, H. H.
Comstock	Gillette	Parker	Van Valkenburgh
Congdon	Gorsline	Peck	Varnum
Cookinham	Gray	Phillips	Walsh
Crapser	Hagan	Rhodes	Warner
Cullinan	Hayes	Russell	Waterbury
Curtis	Hurd	Sanders	Wells, J. L.
Cushing	Lindsay	Shanley	Wiley
Davis	Low	Sheridan	Wren
Deane	McAvoy	Shuit	Youngs
Dougherty	McCabe		

Mr. Rhodes moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 61 }  
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Childs	Hayes	Tallmadge
Andrews	Clancy	Hoffman	Terpeny
Baker, B. F.	Clowes	McDonald	Thilemann
Baker, C. S.	Cohen	McTernan	Tormey
Beates	Cookinham	Mead	Treanor
Benedict, E. D.	Costello	Miller	Tully
Benedict, T. E.	Deane	Mitchell	Tuthill, H. H.
Bennett	Douglass	Newman	Van Valkenburgh

Brennan	Duell	O'Connor	Varnum
Brodsky	Ellis	Peck	Walsh
Carpenter, E. A.	Fitzgerald	Rhodes	Wells, D. A.
Carpenter, I. S.	Gibbs	Russell	Weston
Catlin	Gray	Sanders	Wiley
Chamberlain	Grosse	Shanley	Wren
Chase	Hagan	Skinner	Youngs
Chickering			

Those who voted in the negative, were

Beach	Evans	Liddle	Sherman
Bridges	Ferris	Low	Shuit
Bullock	Fish	McAvoy	Sisson
Case	Gillette	McCabe	Slingerland
Clark	Griggs	McCarthy	Titus
Congdon	Gwinup	Mooers	Tozier
Crapser	Havens	Phillips	Travis
Curtis	Howland	Potter	Tuttle, R. M.
Cushing	Ingersoll	Potts	Warner
Dougherty	Kennedy	Root	Waterbury
Duguid	Lefever	Sheridan	

Mr. Speaker presented the Report of the Commissioners to Revise the Special and Local Laws Affecting Public Interests in the City of New York; which was laid on the table and ordered printed.

(See Doc. No. .)

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That there be printed and bound, in law binding, under the direction of the commission which prepared the same, 300 copies of the compilation of local and special laws relating to the city of New York, the same to be distributed by the commissioners to the heads of departments, judges of the courts, and others in said city.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Strait (introductory No. 864), entitled "An act in relation to the use of coals in manufacturing," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 1115), entitled "An act for the better protection of manufacturing interests," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 781, general orders No. 964, entitled "An act for the preservation of lobsters," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence Senate bill entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county."

Mr. Youngs moved to substitute said bill for Assembly bill No. 567, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled "An act establishing the compensation of the county clerks in the counties of Richmond and Franklin, in lieu of charges for all services rendered said counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brennan moved that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to facilitate the distribution and division of the estate of George Bright, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend article 1 of title 4 of chapter 6 of part 1 of the Revised Statutes, entitled 'of the formation of the board of inspectors and the appointment of clerks,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of the Buffalo Surgical Infirmary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip.

and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. A. Carpenter moved to reconsider the vote by which Assembly bill of the same title was passed this morning, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'of sales by auctioneers,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 131 of the Laws of 1855, entitled 'An act to incorporate the trustees of the church erection fund of the General Assembly of the Presbyterian Church in the United States of America,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Duell, and by unanimous consent, said bill was ordered to a third reading.

"An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of legislation and administration, and to regulate the compensation of supervisors,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, said bill was referred to the sub-committee of the whole.

"An act to amend section 1 of chapter 435 of the Laws of 1876, entitled 'An act to amend chapter 210 of the Laws of 1847, entitled 'An act to provide for the incorporation of companies and to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847,' which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 502 of the Laws of 1853, entitled 'An act to authorize stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the protection of sureties on the bonds of contractors with municipal corporations," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Treanor, said bill was substituted for Assembly bill No. 720, and referred to the sub-committee of the whole.

"An act to confirm the title of Frederick J. Buchenberger to certain real estate in the city of Brooklyn, purchased by him from the Centenary Universalist Sunday School Society of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

"An act to make effectual judicial decrees against unknown owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate The Rochester Electro-Medical Institute," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was referred to the sub-committee of the whole.

"An act to establish a high school in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charter of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to repeal chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend

an act entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to restrict appeals to the Court of Appeals in certain cases."

"An act authorizing the board of trustees of school district No. 3, of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

"An act for the relief of Babette Stemmler."

"An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office."

"An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from courts of oyer and terminer."

"An act to exempt the counties of Saratoga and Fulton from the provisions of chapter 733 of the Laws of 1872, entitled 'An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations, so far as it authorizes the employment of assistant counsel to the district attorney of any county.'"

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston.'"

"An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

"An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York."

"An act to incorporate the Bachelor Club of the city of New York."

"An act to secure the payment of mechanics, laborers and workmen, who perform work, also persons furnishing materials toward the erection, altering, or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York."

"An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of public peace, and to punish violations thereof."

"An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

The hour of two having arrived, the House took a recess until four P. M.

## FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Crapser	Liddle	Sipp
Andrews	Cullinan	Lindsay	Skinner
Beates	Curtis	Low	Steele
Benedict, E. D.	Davis	McCabe	Strait
Benedict, T. E.	Deane	McTernan	Terpeny
Bradley	Duell	Mead	Titus



Brennan	Evans	Miller	Tormey
Bridges	Ferris	Mitchell	Tozier
Brodsky	Fish	Mooers	Travis
Bullock	Fiske	O'Brien	Treanor
Carpenter, E. A.	Griggs	Parker	Tuthill, H. H.
Carpenter, I. S.	Gwinup	Peck	Varnum
Case	Havens	Phillips	Walsh
Chickering	Hoffman	Potts	Warner
Childs	Howland	Russell	Waterbury
Clancy	Hurd	Shanley	Wells, J. L.
Congdon	Ingersoll	Sheridan	Youngs
Cookinham	Lefever	Shuit	

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A quorum being present.

The Senate returned Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," with a message that they do non-concur in the amendments of the Assembly to said bill, and have appointed a conference committee on the part of the Senate, consisting of Messrs Seebacher, Birdsall and Sessions, and request a like committee on the part of the House.

Mr. Speaker put the question whether the House would agree to the appointment of a conference committee, and it was determined in the affirmative.

Mr. Speaker appointed as such conference committee Messrs. Duguid, Kennedy, Brodsky, Mitchell and Sheridan.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to their request for a conference committee.

The Senate returned Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1. Section 23 of chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," is hereby amended so as to read as follows:

§ 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, bullheads, eels, suckers and catfish in any of the fresh waters or canals in this State, or in the American waters of the St. Lawrence river, or in the waters of Niagara river on the American side, between the falls of said river and Lake Erie in any way or manner, or by any device whatever except that of angling with hook and line, save only in the following waters, viz.: the Hudson river below the dam at Troy; Black lake in the county of St. Lawrence; St. Regis river, Grass river and Racket river, below the line of the Ogdensburg and Lake Champlain railroad; and in Lake Ontario except Great Sodus bay, Port bay, East bay in the county of Wayne, Henderson harbor or Henderson bay in the county of Jefferson, and also except in Lake Otsego, and also except in Lake Champlain, during the month of October and the first fifteen days in November, and also except in the waters of the Wallkill river within the county of Ulster, wherein it shall be lawful for any person or persons of one and the same family or household to possess and fish for suckers and eels in the waters of said river during the months of March and April, and October and November, with a single fyke the meshes of which shall not be less than one inch. And also except all that part of the waters of



Lake Ontario together with its bays and inlets, lying and being in the county of Jefferson, and in that part of Oswego county lying between its Jefferson county line and the westerly line of the town of Mexico and within one-half mile of the outlet or mouth of Salmon river, saving and excepting the shoals adjacent to Henderson bay on the lake side from the main shore to and including Smoke Island, except during the months of November and December, which waters are hereby released from the operation of the provisions of sections 23 and 26 of the act hereby amended. No person shall knowingly sell or purchase, or have in his or her possession, any fish killed, caught or taken from any such waters contrary to the provisions of this section. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25 for each and every such offense. And all nets, seines, traps, weir, or other devices forbidden by this section, are hereby declared contraband, and any persons finding the same in any place where they are forbidden is hereby authorized to destroy such contraband articles, and no action for damages shall lie against him for such destruction.

§ 2. Section 24 of the said act is hereby amended to read as follows:

§ 24. Any person having in his or her possession on the shores of any lake, or on the banks of or upon any waters inhabited by salmon, salmon trout, lake trout, black, or Oswego bass, or muscalonge during the closed season, without the permission of the commissioners of fisheries, any snares, nets, stake polls, or other devices used in unlawfully taking such fish, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25; but nothing herein contained shall apply to that portion of the Hudson river south of the dam at Troy, or to Lake Ontario, or to the waters of the Wallkill river in Ulster county.

§ 3. Section 26 of said act is hereby amended to read as follows :

§ 26. No person shall fish in any of the waters or canals of this State with seines, gill-nets or fykes, the meshes of which shall be less than two and one-half inches, except in the waters excepted in the first section of this act, and except in the following waters: In the waters over which Richmond county has civil jurisdiction, the meshes shall not be less than two inches; in the bays and salt waters, estuaries and rivers of Long Island, not less than two and one-half inches, but this prohibition shall not apply to nets used in taking "menhaden," nor to ponds where they are permitted by law; in Lake Erie and Lake Ontario, the meshes shall not be less than four and one-half inches; in the Hudson river below the dam at Troy, the meshes shall not be less than two and one-half inches, except seines, fykes or other nets used in catching bait fish; in Coney Island creek to the mouth thereof, extending out into Gravesend bay, one-half mile each way, the meshes of which shall be four inches square, except that for eel and flounder fishing, hoop-nets with suitable meshes may be used within said bay between the 15th day of October and the 1st day of April. No person shall set or take any fish by any device known as pound or trap-net, in the waters of Great South bay and the waters of Lake Erie, or bring any fish so taken in such waters to the shore along the same, or be engaged in procuring or preparing for market any such fish, or any part thereof, or exposing fish taken in such nets, for sale in the counties bordering on such waters, and during the months of June and July no fish shall be taken by pound or trap-net in the

waters of Gardener's bay or Shelter Island Sound. Nothing in this section shall be construed as permitting the drawing of seines in the waters of the Hudson river, between the upper dock at the village of Sing Sing and Croton Landing, in the town of Cortland, nor in any of the waters between the above named points, nor in any portion of the Croton river, between the 1st day of June and the 1st day of October of any year, which drawing is hereby expressly forbidden. Nor shall any thing in this section be construed to prevent the setting of fykes in the Wallkill river, in Ulster county, during the months of March and April and October and November. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$50.

§ 4. Any action brought or prosecuted by any district attorney pursuant to the provisions of the act hereby amended may be discontinued by such district attorney, and neither costs nor disbursements in such

§ 5. shall be recovered by any defendant therein.  
of the No person shall take, catch, or kill any California trout in any waters of this State, in any way or by any device, between the 15th day of May and the 1st day of September. No person shall knowingly sell or purchase, or have in possession any California trout killed, taken, or caught in the waters of this State during the period aforesaid. Any persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25 for each offense.

§ 6. The waters of Otsego lake are hereby exempted from the provisions of this act.

§ 7. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Childs	Hoffman	Sheridan
Andrews	Clancy	Howland	Sherman
Baker, B. F.	Congdon	Hurd	Shuit
Baker, C. S.	Cookinham	Ingersoll	Sipp
Beach	Crapser	Lefever	Skinner
Beates	Cullinan	Liddle	Strait
Benedict, E. D.	Curtis	Lindsay	Terpeny
Benedict, T. E.	Davis	Low	Titus
Bennett	Deane	McAvoy	Tormey
Bradley	Dougherty	McCabe	Tozier
Brennan	Duell	McTernan	Travis
Bridges	Duguid	Miller	Tuthill, H. H.
Brodsky	Ellis	O'Brien	Walsh
Bullock	Ferris	Parker	Warner
Carpenter, E. A.	Fish	Peck	Waterbury
Carpenter, I. S.	Fiske	Phillips	Wells, J. L.
Case	Gorsline	Potts	Weston
Catlin	Griggs	Russell	Youngs
Chase	Gwinup	Shanley	Mr. Speaker
Chickering	Havens		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chap-

ter 363 of the Laws of 1878, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement,' with a message that they have concurred in the passage of the same with the following amendments:

Section 2, line 5, of engrossed bill, after the word "interest" insert "and;" same line, after the word "default" strike out "and other expenses;" line 6, after the word "them" strike out all down to and including the word "annum;" in the 8th line insert "and paid by them;" line 15, after the word "city" strike out all down to and including the words "seventy-one" in the 19th line; line 21, after the word "upon" insert "proper;" same line, after the word "proof" strike out "by affidavit" and insert "being furnished."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Beach	Davis	Low	Sipp
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Duell	McCabe	Steele
Benedict, T. E.	Duguid	McTernan	Strait
Bradley	Ellis	Miller	Terpeny
Brennan	Evans	Mitchell	Thilemann
Bridges	Ferris	Mooers	Titus
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, E. A.	Gorsline	Parker	Tully
Carpenter, I. S.	Gray	Peck	Tuthill, H. H.
Case	Griggs	Phillips	Tuttle, R. M.
Catlin	Gwinup	Potts	Walsh
Chase	Haven's	Rhodes	Warner
Chickering	Hoffman	Russell	Waterbury
Childs	Howland	Sanders	Wells, J. L.
Congdon	Ingersoll	Seeley	Weston
Cookinham	Kennedy	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central Railroad, with which to pay the bonded indebtedness of such towns and cities," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 6, strike out the words "or supervisors;" same line, after the word "a" insert "of a majority of the supervisors of any."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shanley
Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Benedict, E. D.	Duell	McCabe	Skinner
Benedict, T. E.	Duguid	McTernan	Steele
Bennett	Ellis	Miller	Strait
Bradley	Evans	Mitchell	Tallmadge
Brennan	Ferris	Mooers	Terpeny
Bridges	Fish	Nowlan	Titus
Brodsky	Fiske	O'Brien	Tozier
Bullock	Gray	Parker	Travis
Carpenter, E. A.	Griggs	Peck	Tuthill, H. H.
Carpenter, I. S.	Gwinup	Phillips	Tuttle, R. M.
Case	Hagan	Potts	Varnum
Catlin	Havens	Rhodes	Walsh
Chamberlain	Hoffman	Root	Warner
Chase	Howland	Russell	Waterbury
Chickering	Ingersoll	Sanders	Wells, D. A.
Childs	Kennedy	Seeley	Wells, J. L.
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend section 236 of the Code of Civil Procedure," with a message that they have concurred in the same with the following amendments:

Section 1, line 12, strike out after the word "same" to the end of section, and insert the following: "And a judge thus designated may, after the expiration of the period of such designation, decide, finally determine and dispose of any action, proceeding, or motion, that may have been tried or heard before him, and each judge, during the period of such designation, possesses within the city of New York all the powers of a justice of the Supreme Court, in or out of court, to make orders in any action or special proceeding in the Supreme Court in the branch to which he is assigned."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shanley
Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Baker, C. S.	Cushing	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Skinner
Benedict, E. D.	Duell	Miller	Steele
Bradley	Evans	Mitchell	Strait
Brennan	Ferris	Mooers	Tallmadge
Bridges	Fish	Nowlan	Terpeny

Brodsky	Fiske	O'Brien	Titus
Bullock	Fitzgerald	Parker	Tozier
Carpenter, E. A.	Gibbs	Peck	Travis
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Case	Gwinup	Potts	Tuttle, R. M.
Catlin	Hagan	Rhodes	Varnum
Chamberlain	Havens	Root	Warner
Chickering	Hoffman	Russell	Waterbury
Childs	Howland	Sanders	Wells, D. A.
Clancy	Ingersoll	Seeley	Wells, J. L.
Congdon	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter. 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego,' with a message that they have concurred in the same with the following amendments:

Section 1, line 1, strike out the word "act;" line 2, strike out "three" and insert "six," strike out "sixty" and insert "thirty;" line 3, after the word "eight" insert "entitled An act to amend the act incorporating the village of Phoenix, in the county of Oswego."

Amend the title by changing the word "three" to "six" and the word "sixty" to "thirty."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Shanley
Andrews	Crapser	Lefever	Sheridan
Baker, B. F.	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Shuit
Beates	Davis	Low	Sipp
Benedict, E. D.	Deane	McAvoy	Sisson
Benedict, T. E.	Duell	McCabe	Skinner
Bennett	Duguid	Mead	Steele
Bradley	Evans	Miller	Strait
Brennan	Ferris	Mitchell	Terpeny
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Newman	Tormey
Bullock	Fitzgerald	Nowlan	Tozier
Carpenter, E. A.	Gibbs	O'Brien	Travis
Carpenter, I. S.	Gillette	Parker	Tuthill, H. H.
Case	Griggs	Peck	Tuttle, R. M.
Catlin	Gwinup	Phillips	Varnum
Chamberlain	Hagan	Potts	Warner
Chickering	Havens	Root	Waterbury
Childs	Hoffman	Russell	Wells, J. L.
Clancy	Howland	Sanders	Youngs
Congdon	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 1, of engrossed bill, strike out the words "the act" and insert "chapter 181 of the Laws of 1872;" line 4, after the word "thereto" strike out all down to and including the words "seventy-two" in line 6.

Amend title so as to read as follows: "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Seeley
Andrews	Cullinan	Lefever	Shanley
Baker, B. F.	Curtis	Liddle	Sheridan
Beach	Davis	Lindsay	Shuit
Beates	Deane	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Steele
Bradley	Duell	McTernan	Strait
Brennan	Duguid	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Nowlan	Travis
Carpenter, I. S.	Gibbs	O'Brien	Tuthill, H. H.
Case	Gillette	Parker	Tuttle, R. M.
Catlin	Gray	Peck	Varnum
Chamberlain	Griggs	Phillips	Warner
Chickering	Hagan	Potts	Waterbury
Childs	Hoffman	Root	Wells, D. A.
Clancy	Howland	Russell	Wells, J. L.
Congdon	Hurd	Sanders	Youngs
Cookinham	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway," with a message that they have concurred in the passage of the same with the following amendments:

Section 8, line 6, after the word "notice" insert "to be reserved;" line 7, after the word "deposited" insert "addressed and postage prepaid."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Baker, B. F.	Cullinan	Liddle	Sherman
Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Davis	Low	Sipp
Beates	Deane	McCabe	Siason
Benedict, E. D.	Douglass	McTernan	Skinner
Benedict, T. E.	Duell	Mead	Steele
Bradley	Ellis	Miller	Tallmadge
Brennan	Ferris	Mitchell	Terpeny
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Nowlan	Tozier
Bullock	Gibbs	O'Brien	Travis
Carpenter, E. A.	Gorsline	Parker	Tully
Carpenter, I. S.	Gray	Peck	Tuthill, H. H.
Case	Griggs	Phillips	Tuttle, R. M.
Catlin	Grosse	Potts	Van Valkenburgh
Chamberlain	Havens	Rhodes	Varnum
Chickering	Hoffman	Root	Warner
Childs	Howland	Russell	Waterbury
Clancy	Husted	Sanders	Wells, D. A.
Congdon	Ingersoll	Seeley	Wells, J. L.
Cookinham	Kennedy	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 5, of engrossed bill, strike out the words "legalized and confirmed" and insert "made as legal and valid;" line 6, strike out the word "validity" and insert "effect;" same line, after the word "as" insert "they would have had."

Section 2, strike out all after the word "State" in third line.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Seeley
Andrews	Cullinan	Ingersoll	Shanley
Baker, C. S.	Curtis	Kennedy	Sheridan
Beach	Cushing	Lefever	Shuit
Beates	Davis	Liddle	Sipp
Benedict, E. D.	Deane	Lindsay	Skinner
Benedict, T. E.	Douglass	Low	Steele
Bradley	Duell	McAvoy	Strait
Brennan	Duguid	McTernan	Terpeny
Bridges	Evans	Mead	Titus
Brodsky	Ferris	Miller	Tozier
Bullock	Fish	Mitchell	Travis



Carpenter, E. A.	Fiske	Mooers	Tuthill, H. H.
Carpenter, I. S.	Gillette	Nowlan	Tuttle, R. M.
Case	Gray	Parker	Van Valkenburgh
Catlin	Griggs	Peck	Varnum
Chamberlain	Grosse	Phillips	Warner
Chickering	Gwinup	Potts	Waterbury
Childs	Hoffman	Root	Wells, D. A.
Clancy	Howland	Russell	Weston
Congdon	Hurd	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," with a message that they have concurred in the passage of the same with the following amendments:

Section 3, line 3, strike out the word "ten" and insert "five."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit
Baker, O. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McCabe	Skinner
Bennett	Duell	McTernan	Steele
Bradley	Duguid	Mead	Tallinadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mitchell	Titus
Brodsky	Fiske	Mooers	Tozier
Bullock	Fitzgerald	Nowlan	Travis
Carpenter, E. A.	Gibbs	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gillette	Parker	Tuttle, R. M.
Case	Gray	Peck	Van Valkenburgh
Catlin	Griggs	Phillips	Varnum
Chamberlain	Gwinup	Potter	Warner
Chase	Havens	Potts	Waterbury
Chickering	Hoffman	Root	Wells, J. L.
Childs	Howland	Russell	Weston
Clancy	Husted	Sanders	Youngs
Congdon	Ingersoll	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a privileged resolution in words following:

*Resolved*, That a respectful message be sent to the Senate requesting the return to this House of Assembly bill No. 618, general orders No. 711, entitled "An act to provide for the payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate.

The Senate returned Assembly bill entitled "An act in relation to the keeping open the offices of the register, county clerk and county treasurer of the county of Westchester," with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 10, strike out the word "or" and insert "any;" line 14, after the word "year" insert "the Friday preceding Easter Sunday, commonly known as Good Friday."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Husted	Sanders
Andrews	Congdon	Ingersoll	Seeley
Baker, B. F.	Cookinham	Kennedy	Sheridan
Baker, C. S.	Cullinan	Lefever	Shuit
Beach	Curtis	Liddle	Sipp
Beates	Davis	Lindsay	Skinner
Benedict, T. E.	Deane	Low	Steele
Bradley	Douglass	McTernan	Tallmadge
Brennan	Duell	Mead	Terpeny
Bridges	Duguid	Miller	Titus
Brodsky	Evans	Mitchell	Tozier
Bullock	Fish	Mooers	Travis
Carpenter, E. A.	Fitzgerald	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gillette	O'Brien	Tuttle, R. M.
Case	Gray	Parker	Van Valkenburgh.
Catlin	Griggs	Peck	Varnum
Chamberlain	Gwinup	Phillips	Warner
Chickering	Havens	Potts	Waterbury
Childs	Hoffman	Rhodes	Wells, J. L.
Clancy	Howland	Russell	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence therein.

The Senate returned Assembly bill entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 4, after the word "made" insert "as."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clancy	Howland	Russell
Andrews	Clowes	Hurd	Sanders
Baker, B. F.	Congdon	Husted	Shanley
Baker, C. S.	Cookinham	Ingersoll	Sherman
Beach	Crapser	Kennedy	Sipp
Beates	Cullinan	Lefever	Sisson
Benedict, T. E.	Curtis	Liddle	Skinner

Bennett	Davis	Lindsay	Steele
Bradley	Deane	Low	Tallmadge
Brennan	Douglass	McTernan	Terpeny
Bridges	Duell	Mead	Titus
Brodsky	Ferris	Miller	Tozier
Bullock	Fish	Mitchell	Travis
Carpenter, E. A.	Fiske	Mooers	Tully
Carpenter, I. S.	Fitzgerald	Nowlan	Tuthill, H. H.
Case	Gibbs	O'Brien	Van Valkenburgh
Catlin	Gillette	Parker	Varnum
Chamberlain	Gray	Peck	Warner
Chase	Griggs	Phillips	Waterbury
Chickering	Havens	Potts	Wells, D. A.
Childs	Hoffman	Root	Wells, J. L.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 5, 1880.* }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 331, entitled "An act in relation to a certain bridge of the Erie canal on Mill street in the city of Lockport."

ALONZO B. CORNELL.

Mr. Van Valkenburgh moved to lay said bill and message upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 5, 1880.* }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Kennedy	Shuit
Andrews	Congdon	Lefever	Sipp
Baker, B. F.	Cookinham	Liddle	Sisson
Baker, O. S.	Costello	Low	Skinner
Beach	Crapser	McAvoy	Slingerland

Beates	Cullinan	McCarthy	Steele
Benedict, E. D.	Curtis	McDonald	Strait
Benedict, T. E.	Davis	Mead	Tallmadge
Bennett	Dougherty	Miller	Terpeny
Bradley	Douglass	Mitchell	Terry
Brennan	Duell	Mooers	Thilemann
Bridges	Duguid	Nowlan	Tozier
Brotsky	Evans	O'Brien	Travis
Bullock	Ferris	Parker	Treanor
Carpenter, E. A.	Fish	Peck	Tuthill, H. H.
Carpenter, I. S.	Gray	Phillips	Van Valkenburgh
Case	Griggs	Potter	Varnum
Catlin	Grosse	Potts	Walsh
Chamberlain	Gwinup	Rhodes	Warner
Chase	Hoffman	Root	Waterbury
Chickering	Howland	Russell	Wells, D. A.
Clark	Hurd	Sanders	Wells, J. L.
Clowes	Husted	Seeley	Wiley
Cohen	Ingersoll	Sherman	Youngs

On motion of Mr. Miller, and by unanimous consent, said bill was amended as follows:

Section 9, line 20, substitute "complete" for "compute;" line 22, substitute "completing" for "computing."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Shuit
Andrews	Cookinham	Kennedy	Sipp
Baker, B. F.	Costello	Lefever	Sisson
Baker, C. S.	Crapser	Liddle	Skinner
Beach	Cullinan	Low	Slingerland
Beates	Curtis	McAvoy	Steele
Benedict, E. D.	Davis	McCarthy	Strait
Benedict, T. E.	Deane	McDonald	Tallmadge
Bennett	Douglass	Mead	Terpeny
Bradley	Duell	Miller	Terry
Brennan	Duguid	Mitchell	Thilemann
Bridges	Evans	Mooers	Titus
Brotsky	Ferris	O'Brien	Tozier
Bullock	Fish	Parker	Travis
Carpenter, E. A.	Gibbs	Peck	Treanor
Carpenter, I. S.	Gillette	Phillips	Van Valkenburgh
Case	Gorsline	Potter	Varnum
Catlin	Gray	Potts	Warner
Chamberlain	Griggs	Rhodes	Waterbury
Chase	Grosse	Root	Wells, D. A.
Chickering	Gwinup	Russell	Wells, J. L.
Childs	Hoffman	Sanders	Weston
Clowes	Howland	Sheridan	Wiley
Cohen	Hurd	Sherman	Youngs
Comstock	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

On motion of Mr. E. A. Carpenter, and by unanimous consent, Senate bill entitled "An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McCabe	Slingerland
Beates	Douglass	McCarthy	Steele
Benedict, T. E.	Duell	McDonald	Strait
Brennan	Duguid	Mead	Tallmadge
Bridges	Evans	Miller	Terpeny
Brodsky	Ferris	Mitchell	Terry
Bullock	Fish	Mooers	Titus
Carpenter, E. A.	Fiske	Nowlan	Tozier
Carpenter, I. S.	Fitzgerald	O'Brien	Travis
Case	Gibbs	Parker	Treanor
Catlin	Gillette	Peck	Tuthill, H. H.
Chamberlain	Gray	Phillips	Tuttle, R. M.
Chase	Griggs	Potter	Van Valkenburgh
Childs	Grosse	Potts	Varnum
Clowes	Gwinup	Rhodes	Warner
Cohen	Hoffman	Root	Waterbury
Comstock	Howland	Russell	Wells, D. A.
Congdon	Hurd	Sanders	Wells, J. L.
Cookinham	Husted	Seeley	Wiley
Costello	Ingersoll	Sheridan	Wren
Crapser	Kennedy	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, in words following:

IN SENATE, *April 29, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 2, line 1, engrossed bill, strike out the word "May" and insert "June."

Section 18, line 2, after the word "forty" insert "nine."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sanders
Andrews	Costello	Ingersoll	Sheridan
Baker, B. F.	Crapser	Kennedy	Sherman
Baker, C. S.	Cullinan	Lefever	Shuit
Beach	Curtis	Liddle	Sipp
Beates	Davis	Low	Sisson
Benedict, E. D.	Deane	McAvoy	Skinner
Benedict, T. E.	Dougherty	McCabe	Slingerland
Bennett	Douglass	McCarthy	Steele
Bradley	Duell	McDonald	Strait
Brennan	Duguid	Mead	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brodsky	Ferris	Mooers	Terry
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Fiske	O'Brien	Travis
Carpenter, I. S.	Fitzgerald	Parker	Treanor
Case	Gibbs	Peck	Tully
Catlin	Gillette	Phillips	Van Valkenburgh
Chamberlain	Gray	Pitcher	Varnum
Chase	Griggs	Potter	Warner
Clark	Grosse	Potts	Waterbury
Clowes	Gwinup	Rhodes	Wells, D. A.
Cohen	Hoffman	Root	Wells, J. L.
Comstock	Howland	Russell	Wiley
Congdon	Hurd		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sanders
Andrews	Crapser	Ingersoll	Seeley
Baker, B. F.	Cullinan	Kennedy	Sheridan
Baker, C. S.	Curtis	Lefever	Shuit
Beach	Davis	Liddle	Sipp
Beates	Deane	Lindsay	Skinner
Bennett	Douglass	Low	Steele
Bradley	Duell	McAvoy	Tallmadge
Brennan	Duguid	McCabe	Terpeny
Bridges	Ellis	McTernan	Titus
Brodsky	Ferris	Mead	Tozier
Bullock	Fish	Miller	Travis
Carpenter, E. A.	Fiske	Mitchell	Treanor
Carpenter, I. S.	Fitzgerald	Mooers	Tully

Catlin	Gillette	Nowlan	Tuttle, R. M.
Chamberlain	Gorsline	Parker	Van Valkenburgh
Chase	Griggs	Peck	Varnum
Chickering	Gwinup	Phillips	Warner
Childs	Hoffman	Potts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Youngs
Congdon			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the opening of streets, avenues and public parks or places in the city of New York."

"An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara."

"An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture."

"An act to amend chapter 13 of part 1 of the Revised Statutes."

"An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to reduce the expenses of the improvement commission in Long Island City."

"An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operation,' and to further extend the time within which said company may commence operations.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

The Senate sent for concurrence the bill entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to authorize the reading in all courts and proceedings of a compilation entitled 'The Special and Local Laws affecting Public Interests in the city of New York,' and declaring the effects thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal certain acts and parts of acts therein named so far as the same relate to or apply to or within the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to establish a police pension fund for dis-



abled and retired members and the widows and children of deceased members of the police department of the city of New York," having been announced for a third reading,

Mr. Brodsky moved to recommit said bill to the committee on affairs of cities, retaining its place in order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 01 }

Those who voted in the affirmative, were

Andrews	Cookinham	Lindsay	Sipp
Baker, B. F.	Cullinan	McAvoy	Skinner
Baker, C. S.	Davis	McCabe	Slingerland
Beach	Dougherty	McDonald	Steele
Beates	Douglass	McTernan	Strait
Benedict, E. D.	Duell	Mead	Tallmadge
Bradley	Duguid	Miller	Terpeny
Brennan	Ferris	Mooers	Terry
Bridges	Fish	Nowlan	Titus
Brodsky	Fiske	Peck	Tozier
Bullock	Fitzgerald	Phillips	Travis
Carpenter, E. A.	Gillette	Potts	Tuthill, H. H.
Case	Gray	Root	Tuttle, R. M.
Catlin	Griggs	Russell	Van Valkenburgh,
Chamberlain	Howland	Sanders	Varnum
Chase	Husted	Seeley	Warner
Chickering	Ingersoll	Shanley	Waterbury
Childs	Kennedy	Sheridan	Wells, D. A.
Clowes	Lefever	Sherman	Wells, J. L.
Comstock	Liddle	Shuit	Youngs
Congdon			

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read the third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Costello	Grosse	Potts
Andrews	Crapser	Gwinup	Root

Baker, C. S.	Cullinan	Hoffman	Sheridan
Beach	Curtis	Hurd	Sherman
Beates	Cushing	Ingersoll	Shuit
Benedict, E. D.	Davis	Kennedy	Skinner
Bennett	Deane	Lefever	Slingerland
Bradley	Douglass	Liddle	Steele
Brennan	Duell	Lindsay	Tallmadge
Brodsky	Duguid	Low	Terpeny
Bullock	Ellis	McAvoy	Tozier
Carpenter, E. A.	Evans	McCarthy	Van Valkenburgh
Carpenter, I. S.	Ferris	Mooers	Varnum
Chamberlain	Fish	Nowlan	Warner
Childs	Fiske	Parker	Waterbury
Clowes	Fitzgerald	Peck	Wells, D. A.
Cohen	Gibbs	Phillips	Wells, J. L.
Comstock	Gray	Pitcher	Wiley
Congdon	Griggs	Potter	Youngs
Cookinham			

Those who voted in the negative, were

Havens                      Rhodes

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 559, Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 3 }

Those who voted in the affirmative, were

Andrews	Clowes	Hoffman	Russell
Baker, B. F.	Comstock	Howland	Sanders
Baker, C. S.	Congdon	Husted	Seeley
Beach	Cookinham	Ingersoll	Sheridan
Beates	Crapser	Kennedy	Shuit
Benedict, E. D.	Cullinan	Lefever	Skinner
Benedict, T. E.	Curtis	Liddle	Slingerland
Bennett	Davis	Lindsay	Strait
Bradley	Deane	Low	Tallmadge
Brennan	Dougherty	McAvoy	Terpeny
Bridges	Duguid	McTernan	Titus
Brodsky	Ellis	Mead	Tozier
Bullock	Ferris	Miller	Travis
Carpenter, E. A.	Fish	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fiske	O'Brien	Tuttle, R. M.
Case	Fitzgerald	Parker	Varnum
Catlin	Gibbs	Peck	Waterbury
Chamberlain	Gray	Pitcher	Wells, D. A.
Chickering	Griggs	Potter	Wells, J. L.
Childs	Gwinup	Potts	Youngs
Clancy	Hagan	Root	

Those who voted in the negative, were

Duell                      Mooers                      Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sherman
Baker, B. F.	Crapser	Lefever	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	Lindsay	Skinner
Beates	Davis	Low	Steele
Benedict, E. D.	Deane	McCabe	Strait
Bennett	Dougherty	McTernan	Tallmadge
Bradley	Duell	Mead	Terpeny
Brennan	Ellis	Miller	Terry
Bridges	Ferris	Mitchell	Titus
Brodsky	Fish	Mooers	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, I. S.	Fitzgerald	O'Brien	Tuthill, H. H.
Case	Gillette	Parker	Tuttle, R. M.
Catlin	Gray	Peck	Van Valkenburgh
Chamberlain	Griggs	Phillips	Walsh
Chickering	Grosse	Potter	Warner
Childs	Hagan	Potts	Waterbury
Clancy	Hoffman	Root	Wells, D. A.
Clowes	Howland	Russell	Wells, J. L.
Comstock	Husted	Sanders	Youngs
Congdon	Ingersoll	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as said act relates to the village of Wolcott,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Root
Andrews	Cookinham	Kennedy	Russell
Baker, B. F.	Crapser	Lefever	Shanley
Baker, C. S.	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Deane	McAvoy	Steele
Benedict, T. E.	Douglass	McCabe	Tallmadge

Bradley	Duguid	McTernan	Terpeny
Brennan	Ellis	Mead	Terry
Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mitchell	Tozier
Bullock	Fiske	Mooers	Travis
Carpenter, E. A.	Gillette	Nowlan	Tuthill, H. H.
Case	Gray	O'Brien	Tuttle, R. M.
Catlin	Griggs	Parker	Van Valkenburgh
Chamberlain	Grosse	Peck	Walsh
Chickering	Hagan	Phillips	Warner
Childs	Hoffman	Potter	Waterbury
Clancy	Howland	Potts	Wells, J. L.
Clowes	Hurd	Rhodes	Youngs
Comstock			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Cookinham	Kennedy	Sanders
Baker, B. F.	Crapser	Lefever	Sherman
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Sipp
Beates	Davis	Low	Skinner
Benedict, E. D.	Deane	McAvoy	Slingerland
Brennan	Douglass	McCabe	Steele
Bridges	Duell	McTernan	Tallmadge
Brodsky	Ellis	Mead	Terpeny
Bullock	Ferris	Miller	Titus
Carpenter, E. A.	Fish	Mitchell	Tozier
Carpenter, I. S.	Fiske	Mooers	Travis
Case	Fitzgerald	Nowlan	Tuthill, H. H.
Catlin	Gorsline	O'Brien	Tuttle, R. M.
Chamberlain	Griggs	Parker	Van Valkenburgh
Chickering	Grosse	Peck	Warner
Childs	Hagan	Phillips	Waterbury
Clancy	Hoffman	Potter	Wells, D. A.
Clowes	Howland	Potts	Wells, J. L.
Comstock	Husted	Rhodes	Youngs
Congdon	Ingersoll	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to enable marine insurance companies incorporated under the laws of this State to amend their charter," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Baker, B. F.	Crapser	Lefever	Shanley
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Deane	McAvoy	Steele
Bennett	Dougherty	McCabe	Tallmadge
Bradley	Douglass	McTernan	Terpeny
Bridges	Ellis	Mead	Terry
Brotsky	Ferris	Miller	Titus
Bullock	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Nowlan	Travis
Carpenter, I. S.	Fitzgerald	O'Brien	Tully
Catlin	Gray	Parker	Tuttle, R. M.
Chamberlain	Griggs	Peck	Van Valkenburgh
Childs	Hagan	Phillips	Warner
Clancy	Hoffman	Potter	Waterbury
Clowes	Howland	Potts	Wells, J. L.
Comstock	Husted	Root	Youngs
Congdon	Ingersoll	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Seeley
Andrews	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, C. S.	Curtis	Lindsay	Sipp
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Douglass	McCabe	Tallmadge
Bennett	Ellis	Mead	Terpeny
Brennan	Ferris	Miller	Terry
Bridges	Fish	Mitchell	Titus
Brotsky	Fiske	Mooers	Tozier
Bullock	Fitzgerald	Nowlan	Travis
Carpenter, E. A.	Gibbs	O'Brien	Tully
Carpenter, I. S.	Gorsline	Parker	Tuttle, R. M.
Catlin	Griggs	Peck	Van Valkenburgh
Chamberlain	Hagan	Phillips	Walsh
Childs	Hoffman	Potter	Waterbury
Clancy	Howland	Potts	Wells, J. L.
Clowes	Husted	Russell	Weston
Comstock	Ingersoll	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 34 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Shuit
Andrews	Crapser	Liddle	Sipp
Baker, B. F.	Cullinan	Lindsay	Skinner
Baker, C. S.	Curtis	Low	Slingerland
Beach	Davis	McCabe	Steele
Beates	Deane	McTernan	Tallmadge
Benedict, E. D.	Douglass	Mead	Terpeny
Benedict, T. E.	Ellis	Miller	Terry
Brennan	Ferris	Mitchell	Titus
Bridges	Fish	Mooers	Tozier
Brodsky	Fiske	Nowlan	Travis
Bullock	Fitzgerald	O'Brien	Tully
Carpenter, E. A.	Gillette	Parker	Tuthill, H. H.
Carpenter, I. S.	Gray	Peck	Tuttle, R. M.
Catlin	Griggs	Phillips	Van Valkenburgh
Chamberlain	Gwinup	Potter	Varnum
Chickering	Hoffman	Potts	Walsh
Childs	Howland	Root	Warner
Clancy	Husted	Russell	Waterbury
Clowes	Ingersoll	Seeley	Wells, J. L.
Comstock	Kennedy	Sherman	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Sherman
Andrews	Crapser	Liddle	Shuit
Baker, B. F.	Cullinan	Lindsay	Sipp
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	McCabe	Slingerland
Beates	Deane	Mead	Steele
Benedict, E. D.	Douglass	Miller	Tallmadge
Bradley	Ellis	Mitchell	Terpeny

Brennan	Ferris	Mooers	Terry
Bridges	Fish	Newman	Titus
Brodsky	Fiske	Nowlan	Tozier
Bullock	Fitzgerald	O'Brien	Travis
Carpenter, E. A.	Gorsline	Peck	Tuthill, H. H.
Carpenter, I. S.	Griggs	Phillips	Tuttle, R. M.
Catlin	Grosse	Potter	Van Valkenburgh
Chamberlain	Hagan	Potts	Warner
Chickering	Hoffman	Root	Waterbury
Childs	Howland	Russell	Wells, D. A.
Glancy	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Youngs
Comstock	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and to allow him to file his official bond," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Kennedy	Seeley
Andrews	Congdon	Lefever	Shuit
Baker, B. F.	Cookinham	Liddle	Sisson
Baker, C. S.	Crapser	Lindsay	Skinner
Beach	Cullinan	Low	Steele
Beates	Curtis	McAvoy	Tallmadge
Benedict, E. D.	Davis	McCabe	Terpeny
Benedict, T. E.	Deane	Mead	Terry
Brennan	Douglass	Miller	Titus
Bridges	Duell	Mitchell	Tozier
Brodsky	Ferris	Mooers	Travis
Bullock	Fish	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Fiske	O'Brien	Tuttle, R. M.
Carpenter, I. S.	Fitzgerald	Parker	Van Valkenburgh
Catlin	Gray	Peck	Warner
Chamberlain	Grosse	Phillips	Waterbury
Chickering	Hagan	Potter	Wells, D. A.
Childs	Howland	Potts	Wells, J. L.
Clancy	Husted	Root	Youngs
Clowes	Ingersoll	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," with a message that they have concurred in the passage of the same with the following amendments :

Strike out section 2 and insert the following :

Section 2. The work provided to be done under and by the provisions of this act shall be done, and the plank road thereafter shall be



kept in good condition and repair under contracts to be made, let and entered into by the city of Albany acting by the board of contract and apportionment thereof, but only after due public notice for bids for such work shall have been given. The contracts shall be made for a period of two years, and the contractor shall give a bond with a penalty of twice the aggregate amount to be paid under said contract, with two sufficient sureties, each of whom shall be a freeholder in this State, and shall justify in twice the penalty of the bond. Any owner of land abutting upon the road so to be improved may, from time to time, sue in his name and recover from the contractor or from the sureties upon his bond, or from all of them, fifty dollars for each and every failure of the contractor to comply with any of the provisions of his said contract if such failure shall continue for three whole days after written notice specifying the defects in said road shall have been personally served on said contractor, or for five days after a similar notice shall have been deposited in the post-office in the city of Albany, duly inclosed in an envelope with the proper postage prepaid thereon, directed to said contractor at his place of residence (which residence shall be mentioned in the contract).

§ 3. This act shall continue in force until May 1, 1886, at and after which time the city of Albany shall be relieved from the further expense of maintaining and keeping in order said road, and the same shall be maintained and kept in order at the expense of the owners of abutting property as in the case of the paved streets in the city of Albany.

§ 4. This act shall not prevent the paving of said road if the adjoining owners shall, at any time, duly petition therefor in accordance with the provisions of the charter of the city of Albany.

§ 5. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Sanders
Andrews	Cookinham	Lefever	Seeley
Baker, B. F.	Cullinan	Liddle	Sheridan
Baker, C. S.	Curtis	Lindsay	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T. E.	Duell	McCarthy	Steele
Brennan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Nowlan	Travis
Carpenter, I. S.	Gray	O'Brien	Tuthill, H. H.
Catlin	Griggs	Parker	Tuttle, R. M.
Chamberlain	Hagan	Peck	Walsh
Chickering	Havens	Phillips	Waterbury
Childs	Hoffman	Potter	Wells, D. A.
Clancy	Howland	Potts	Wells, J. L.
Clowes	Husted	Root	Youngs
Comstock	Ingersoll	Russell	

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Rhodes offered for the consideration of the House a privileged resolution in the words following:

*Whereas*, The testimony taken upon the investigation relative to leasing the Dannemora Railroad was submitted to this House, with the report of the committee appointed to make such investigation on the 2d day of April last, and then ordered printed; and,

*Whereas*, Said testimony has been transmitted to the printer, but has not been printed, nor has the printing thereof been commenced by said printer; therefore,

*Resolved*, That the Clerk of this House be required to have said testimony printed and placed on the files of the Assembly within ten days.

Mr. Skinner moved to strike out the words "the Clerk of this House" and insert in lieu thereof the "Legislative Printer."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 407 of the Laws of 1876, entitled 'An act extending the powers of the trustees of the village of Canandaigua,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 87 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shuit
Andrews	Cullinan	Lefever	Sipp
Baker, B. F.	Curtis	Liddle	Skinner
Baker, C. S.	Davis	Lindsay	Steele
Beach	Deane	Low	Strait
Benedict, E. D.	Douglass	McAvoy	Tallmadge
Benedict, T. E.	Duell	McCabe	Terpeny
Brennan	Evans	Mead	Terry
Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mitchell	Tozier
Bullock	Fiske	Mooers	Travis
Carpenter, E. A.	Fitzgerald	Nowlan	Tully
Carpenter, I. S.	Gibbs	O'Brien	Tuthill, H. H.
Case	Gorsline	Parker	Tuttle, R. M.
Chamberlain	Gray	Peck	Van Valkenburgh
Chickering	Griggs	Phillips	Walsh
Childs	Gwinup	Potter	Warner
Clancy	Havens	Potts	Waterbury
Clowes	Hayes	Root	Wells, D. A.
Comstock	Howland	Russell	Wells, J. L.
Congdon	Husted	Seeley	Youngs
Cookinham	Ingersoll	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a

message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	Low	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Duell	McCabe	Steele
Benedict, E. D.	Ellis	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Nowlan	Tormey
Bullock	Fitzgerald	O'Brien	Tozier
Carpenter, E. A.	Gorsline	Parker	Travis
Carpenter, I. S.	Gray	Peck	Tuthill, H. H.
Catlin	Griggs	Phillips	Tuttle, R. M.
Chamberlain	Gwinup	Potter	Van Valkenburgh
Chickering	Havens	Potts	Varnum
Childs	Hoffman	Root	Warner
Clowes	Howland	Russell	Waterbury
Cohen	Hurd	Sanders	Wells, D. A.
Comstock	Ingersoll	Seeley	Wells, J. L.
Congdon	Kennedy	Sheridan	Youngs

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Fitzgerald presented a memorial of the mayor and comptroller of the city of New York, asking for the passage of "An act authorizing the rebuilding of Fulton market, in the city of New York;" which was read and referred to the committee on affairs of cities.

Mr. Varnum moved to lay all order of business on the table, for the purpose of taking up order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to provide for the rebuilding of Fulton market, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the following bills :

“An act to provide for the navigation of the waters of the Wallkill creek, in the county of Ulster by steamboats.

“An act to release and convey to Emily Wundus the interest of the People of the State of New York in certain real estate in the city of Lockport.”

“An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein.”

“An act to amend chapter 436 of the Laws of 1877, entitled ‘An act in relation to county treasurers.’”

“An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city.”

“An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school number six, in the town of Manlius, of the county of Onondaga.”

“An act to amend chapter 340 of the Laws of 1878, entitled ‘An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city.’”

“An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York.”

“An act to amend chapter 458 of the Laws of 1875, entitled ‘An act to amend chapter 807 of the Laws of 1873, entitled ‘An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein.’”

“An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks.”

“An act entitled ‘An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene.’”

“An act to amend chapter 34 of the Session Laws of 1876, entitled ‘An act to provide for the payment of a portion or the whole of the bounty debt of the county of Greene, by issuing new bonds, passed February 28, 1876.’”

“An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof.”

“An act to amend chapter 75 of the Laws of 1878, entitled ‘An act in relation to the bonded indebtedness of villages, cities and counties.’”

“An act to authorize the city of Utica to borrow money to pay certain debts therein.”

“An act to amend chapter 780 of the Laws of 1868, entitled ‘An act in relation to a system of sewerage in and for the city of Syracuse.’”

“An act to amend chapter 331 of the Laws of 1846, entitled ‘An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America.’”

“An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties.”

“An act to prevent malicious annoyance.”

“An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled ‘An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes and to annex a part of the city of Albany to the town of Watervliet.’”

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly resolution asking the Governor to return Assembly bill No. 280, entitled “An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell endowment fund,” for amendment, with a message that they have concurred in the same.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 1058, entitled “An act providing for the appointment of an additional number of commissioners of deeds in the city of New York,” reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The hour of six having arrived, the House adjourned.

## THURSDAY MORNING, MAY 6, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. H. E. Stanton.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Arnold, also to Hon. R. R. Steele.

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

Mr. Newman moved to lay said order of business on the table, for the purpose of taking up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate returned Assembly bill entitled “An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York,” with a message that they have concurred in the passage of the same with the following amendments:

Section 7, line 2, after the word “eighty” insert “one.”

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cullinan  
Curtis

Low  
McAvoy

Shuit  
Sipp

Baker, C. S.	Cushing	McCabe	Sisson
Beach	Davis	McTernan	Skinner
Beates	Douglass	Miller	Strait
Benedict, E. D.	Duell	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terpeny
Brennan	Evans	Morgan	Thilemann
Bridges	Ferris	Newman	Titus
Brotsky	Fish	Nowlan	Tozier
Carpenter, E. A.	Fiske	Parker	Travis
Carpenter, I. S.	Fitzgerald	Peck	Treanor
Case	Gray	Phillips	Tuthill, H. H.
Chamberlain	Gwinup	Pitcher	Tuttle, R. M.
Childs	Havens	Potts	Varnum
Clowes	Hoffman	Root	Waterbury
Cohen	Howland	Russell	Wells, D. A.
Comstock	Kennedy	Sanders	Wells, J. L.
Congdon	Lefever	Seeley	Youngs
Cookinham	Liddle	Shanley	Mr. Speaker
Crapser	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Root offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to this House of Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act in relation to the Ladies' Union Aid Society of the Methodist Episcopal Church in the City of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Deane	McDonald	Sisson
Andrews	Douglass	Mead	Skinner
Baker, C. S.	Duell	Miller	Steele
Beach	Ellis	Mitchell	Strait
Beates	Ferris	Mooers	Tallmadge
Benedict, E. D.	Fish	Morgan	Terpeny
Bradley	Fiske	Newman	Thilemann
Brennan	Fitzgerald	Nowlan	Titus
Bridges	Gray	Parker	Tozier
Brotsky	Hagan	Peck	Travis
Carpenter, I. S.	Havens	Phillips	Treanor
Chamberlain	Hoffman	Pitcher	Tuthill, H. H.
Childs	Howland	Potts	Tuttle, R. M.
Clowes	Hurd	Rhodes	Varnum
Cohen	Kennedy	Root	Walsh
Comstock	Lefever	Russell	Warner
Congdon	Liddle	Seeley	Waterbury
Cookinham	Lindsay	Shanley	Wells, D. A.
Crapser	Low	Sherman	Wells, J. L.



Curtis  
Davis

McAvoy  
McCabe

Shuit  
Sipp

Youngs

Those who voted in the negative, were  
Grosse

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a cemetery in the town of Long Lake, Hamilton county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Andrews	Cushing	Low	Shuit
Baker, C. S.	Davis	McAvoy	Sipp
Beach	Deane	McCabe	Sisson
Beates	Douglass	McDonald	Skinner
Benedict, E. D.	Duell	Mead	Steele
Benedict, T. E.	Ellis	Miller	Tallmadge
Bradley	Ferris	Mitchell	Terpeny
Brennan	Fish	Mooers	Titus
Bridges	Fiske	Morgan	Tozier
Brodsky	Fitzgerald	Newman	Travis
Carpenter, E. A.	Gibbs	Parker	Treanor
Catlin	Gray	Peck	Tully
Chamberlain	Gwinup	Phillips	Tuthill, H. H.
Childs	Hagan	Pitcher	Tuttle, R. M.
Clowes	Havens	Potts	Walsh
Cohen	Howland	Rhodes	Warner
Comstock	Hurd	Root	Waterbury
Congdon	Kennedy	Russell	Wells, D. A.
Cookinham	Lefever	Sanders	Wells, J. L.
Crapser	Liddle	Seeley	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the taxation of life insurance companies," being announced for a third reading,

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Section 1, line 5, strike out the word "two" and insert in lieu thereof "one."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sipp
Baker, C. S.	Cushing	McAvoy	Sisson



Beach	Davis	McCabe	Skinner
Beates	Deane	McDonald	Steele
Benedict, T. E.	Douglass	Mead	Strait
Bradley	Duell	Miller	Tallmadge
Brennan	Ferris	Mooers	Terpeny
Bridges	Fish	Parker	Terry
Brodsky	Fiske	Peck	Titus
Carpenter, I. S.	Gibbs	Phillips	Travis
Chamberlain	Gray	Root	Treanor
Childs	Grosse	Rhodes	Tuthill, H. H.
Clowes	Gwinup	Root	Warner
Cohen	Hagan	Sanders	Waterbury
Comstock	Howland	Seeley	Wells, D. A.
Congdon	Kennedy	Sheridan	Wells, J. L.
Cookinham	Lefever	Sherman	Wren
Crapser	Liddle	Shuit	Youngs

Those who voted in the negative, were

Benedict, E. D.	Hayes	Pitcher	Russell
Fitzgerald	Morgan		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 155, entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The bill entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sheridan
Andrews	Deane	McAvoy	Sherman
Baker, C. S.	Douglass	McCabe	Shuit
Beach	Duell	McDonald	Sipp
Benedict, E. D.	Ellis	Mead	Sisson
Bradley	Ferris	Miller	Skinner
Brennan	Fish	Mitchell	Steele
Brodsky	Fiske	Mooers	Strait
Carpenter, I. S.	Fitzgerald	Morgan	Tallmadge
Chamberlain	Gibbs	Newman	Terry
Childs	Gray	O'Connor	Titus
Clark	Hagan	Parker	Tozier
Clowes	Hayes	Peck	Travis
Cohen	Hoffman	Phillips	Treanor
Comstock	Howland	Pitcher	Tuthill, H. H.
Congdon	Hurd	Potts	Tuttle, R. M.
Cookinham	Kennedy	Root	Waterbury

Cullinan  
Curtis  
Cushing

Lefever  
Liddle  
Lindsay

Russell  
Sanders  
Seeley

Wells, J. L.  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Lefever	Seeley
Andrews	Congdon	Liddle	Sheridan
Baker, C. S.	Cookinham	Lindsay	Sherman
Beach	Culinan	Low	Shuit
Beates	Curtis	McAvoy	Sipp
Benedict, E. D.	Davis	McCabe	Sisson
Bennett	Deane	McDonald	Skinner
Bradley	Duell	Mead	Steele
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mitchell	Terpeny
Brodsky	Fiske	Mooers	Terry
Bullock	Fitzgerald	Morgan	Titus
Carpenter, E. A.	Gibbs	Newman	Tozier
Carpenter, I. S.	Gray	Parker	Travis
Chamberlain	Gwinup	Peck	Tuthill, H. H.
Chase	Hagan	Phillips	Tuttle, R. M.
Chickering	Hoffman	Pitcher	Warner
Childs	Howland	Potts	Waterbury
Clark	Hurd	Root	Wells, J. L.
Clowes	Kennedy	Russell	Youngs

Those who voted in the negative, were

Crapser                      Ellis

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water works tunnel, as the common council and mayor of said city of Buffalo may direct," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shanley
Andrews	Cushing	Lindsay	Sheridan
Baker, B. F.	Davis	Low	Sherman
Baker, C. S.	Deane	McAvoy	Shuit
Beach	Douglass	McCabe	Sipp
Beates	Ellis	McDonald	Sisson
Benedict, E. D.	Ferris	Mead	Skinner
Brennan	Fish	Miller	Steele
Bridges	Fiske	Mitchell	Tallmadge
Brotsky	Fitzgerald	Mooers	Terpeny
Bullock	Gibbs	Morgan	Titus
Carpenter, E. A.	Gray	Newman	Tozier
Carpenter, I. S.	Griggs	Parker	Travis
Chickering	Grosse	Peck	Treanor
Childs	Hagan	Phillips	Tuthill, H. H.
Clancy	Havens	Pitcher	Tuttle, R. M.
Clark	Hoffman	Potts	Warner
Clowes	Howland	Rhodes	Waterbury
Comstock	Hurd	Root	Wells, D. A.
Congdon	Kennedy	Russell	Wells, J. L.
Cookinham	Lefever	Sanders	Youngs
Costello			

*Ordered.* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Seeley
Andrews	Crapser	Liddle	Sheridan
Baker, B. F.	Cullinan	Lindsay	Sherman
Baker, C. S.	Curtis	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Sisson
Benedict, E. D.	Dougherty	McDonald	Skinner
Brennan	Douglass	Miller	Slingerland
Bridges	Ellis	Mitchell	Tallmadge
Brotsky	Ferris	Mooers	Terry
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Fitzgerald	Nowlan	Tuthill, H. H.
Catlin	Gibbs	Parker	Tuttle, R. M.
Chickering	Gillette	Peck	Varnum

Cullinan  
Curtis  
Cushing

Lefever  
Liddle  
Lindsay

Russell  
Sanders  
Seeley

Wells, J. L.  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Lefever	Seeley
Andrews	Congdon	Liddle	Sheridan
Baker, C. S.	Cookinham	Lindsay	Sherman
Beach	Culinan	Low	Shuit
Beates	Curtis	McAvoy	Sipp
Benedict, E. D.	Davis	McCabe	Sisson
Bennett	Deane	McDonald	Skinner
Bradley	Duell	Mead	Steele
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mitchell	Terpeny
Brodsky	Fiske	Mooers	Terry
Bullock	Fitzgerald	Morgan	Titus
Carpenter, E. A.	Gibbs	Newman	Tozier
Carpenter, I. S.	Gray	Parker	Travis
Chamberlain	Gwinup	Peck	Tuthill, H. H.
Chase	Hagan	Phillips	Tuttle, R. M.
Chickering	Hoffman	Pitcher	Warner
Childs	Howland	Potts	Waterbury
Clark	Hurd	Root	Wells, J. L.
Clowes	Kennedy	Russell	Youngs

Those who voted in the negative, were

Crapser                      Ellis

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water works tunnel, as the common council and mayor of said city of Buffalo may direct," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shanley
Andrews	Cushing	Lindsay	Sheridan
Baker, B. F.	Davis	Low	Sherman
Baker, C. S.	Deane	McAvoy	Shuit
Beach	Douglass	McCabe	Sipp
Beates	Ellis	McDonald	Sisson
Benedict, E. D.	Ferris	Mead	Skinner
Brennan	Fish	Miller	Steele
Bridges	Fiske	Mitchell	Tallmadge
Brodsky	Fitzgerald	Mooers	Terpeny
Bullock	Gibbs	Morgan	Titus
Carpenter, E. A.	Gray	Newman	Tozier
Carpenter, I. S.	Griggs	Parker	Travis
Chickering	Grosse	Peck	Treanor
Childs	Hagan	Phillips	Tuthill, H. H.
Clancy	Havens	Pitcher	Tuttle, R. M.
Clark	Hoffman	Potts	Warner
Clowes	Howland	Rhodes	Waterbury
Comstock	Hurd	Root	Wells, D. A.
Congdon	Kennedy	Russell	Wells, J. L.
Cookinham	Lefever	Sanders	Youngs
Costello			

*Ordered.* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Seeley
Andrews	Crapser	Liddle	Sheridan
Baker, B. F.	Cullinan	Lindsay	Sherman
Baker, C. S.	Curtis	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Sisson
Benedict, E. D.	Dougherty	McDonald	Skinner
Brennan	Douglass	Miller	Slingerland
Bridges	Ellis	Mitchell	Tallmadge
Brodsky	Ferris	Mooers	Terry
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Fitzgerald	Nowlan	Tuthill, H. H.
Catlin	Gibbs	Parker	Tuttle, R. M.
Chickering	Gillette	Peck	Varnum

Childs	Gray	Phillips	Walsh
Clark	Griggs	Pitcher	Warner
Clowes	Gwinup	Potts	Waterbury
Cohen	Havens	Rhodes	Wells, D. A.
Comstock	Hoffman	Root	Wells, J. L.
Congdon	Howland	Sanders	Youngs
Cookinham	Hurd		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon; and to pay counsel and witnesses employed and subpoenaed in behalf of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Roberts
Andrews	Cullinan	Lefever	Sanders
Baker, B. F.	Curtis	Liddle	Seeley
Baker, C. S.	Davis	Lindsay	Sheridan
Beach	Deane	Low	Sherman
Beates	Dougherty	McCabe	Shuit
Benedict, E. D.	Douglass	McDonald	Sipp
Bridges	Duell	Mead	Sisson
Brodsky	Duguid	Miller	Steele
Bullock	Ellis	Mitchell	Tallmadge
Carpenter, I. S.	Ferris	Mooers	Terpeny
Catlin	Fish	Morgan	Titus
Chamberlain	Fiske	Newman	Tozier
Chickering	Fitzgerald	O'Connor	Travis
Childs	Gibbs	Parker	Tully
Clancy	Gillette	Peck	Tuthill, H. H.
Clark	Gray	Phillips	Tuttle, R. M.
Clowes	Gwinup	Pitcher	Waterbury
Comstock	Havens	Potts	Wells, J. L.
Congdon	Howland	Rhodes	Youngs
Cookinham	Hurd		

Those who voted in the negative, were  
Skinner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hurd	Sanders
Andrews	Curtis	Kennedy	Seeley
Baker, B. F.	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Deane	Lindsay	Sipp
Beates	Dougherty	McAvoy	Sisson
Benedict, E. D.	Douglass	McCabe	Skinner
Brodsky	Duell	McDonald	Strait
Bullock	Duguid	Miller	Tallmadge
Carpenter, I. S.	Ellis	Mitchell	Terpeny
Catlin	Evans	Mooers	Thilemann
Chamberlain	Ferris	Morgan	Titus
Chickering	Fish	Newman	Tozier
Childs	Fiske	Parker	Travis
Clancy	Fitzgerald	Peck	Tully
Clark	Gibbs	Phillips	Tuthill, H. H.
Clowes	Gray	Pitcher	Tuttle, R. M.
Cohen	Grosse	Potts	Waterbury
Comstock	Gwinup	Rhodes	Wells, J. L.
Congdon	Havens	Root	Weston
Cookinham	Howland	Russell	Youngs
Crapser			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Seeley
Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Beach	Cushing	Low	Shuit
Beates	Davis	McAvoy	Sipp
Benedict, E. D.	Deane	McCabe	Sisson
Bradley	Duell	McDonald	Skinner
Brennan	Duguid	Mead	Slingerland
Bridges	Evans	Miller	Tallmadge
Brodsky	Ferris	Mooers	Terpeny
Bullock	Fish	Morgan	Titus
Carpenter, I. S.	Fiske	Newman	Tozier
Catlin	Fitzgerald	Parker	Travis
Chamberlain	Gibbs	Peck	Tully
Chickering	Gillette	Phillips	Tuthill, H. H.
Childs	Gray	Pitcher	Tuttle, R. M.
Clancy	Gwinup	Potts	Warner
Clowes	Havens	Rhodes	Waterbury



Cohen  
Congdon  
Cookinham

Howland  
Hurd  
Kennedy

Root  
Russell  
Sanders

Wells, J. L.  
Weston  
Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 38 }  
{ NOES 52 }

Those who voted in the affirmative, were

Andrews	Clowes	Lefever	Sisson
Baker, C. S.	Comstock	Low	Steele
Beates	Crapser	Miller	Terpeny
Bradley	Cullinan	Mooers	Terry
Brodsky	Davis	Parker	Tozier
Bullock	Dougherty	Pitcher	Travis
Carpenter, I. S.	Duell	Russell	Waterbury
Oatlin	Duguid	Sheridan	Wells, J. L.
Case	Ferris	Shuit	Youngs
Clark	Fitzgerald		

Those who voted in the negative, were

Alvord	Cushing	Lindsay	Seeley
Beach	Douglass	McAvoy	Shanley
Benedict, E. D.	Evans	McCarthy	Sherman
Benedict, T. E.	Fish	McDonald	Skinner
Brennan	Gibbs	Mead	Strait
Bridges	Gillette	Morgan	Thilemann
Chamberlain	Grosse	Newman	Treanor
Chickering	Gwinup	O'Connor	Tully
Childs	Havens	Peck	Tuthill, H. H.
Clancy	Howland	Potter	Tuttle, R. M.
Cohen	Hurd	Potts	Walsh
Costello	Kennedy	Rhodes	Weston
Curtis	Liddle	Root	Youngs

Mr. Terry moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Shanley
Andrews	Cullinan	Lindsay	Sheridan
Baker, B. F.	Curtis	Low	Sherman
Baker, C. S.	Davis	McCabe	Shuit
Beach	Deane	McDonald	Sipp
Beates	Douglass	Miller	Sisson
Benedict, E. D.	Duell	Mitchell	Skinner
Bradley	Duguid	Mooers	Tallmadge
Brennan	Ellis	Morgan	Terpeny
Bridges	Ferris	Newman	Titus
Brodsky	Fish	Parker	Tozier
Bullock	Gibbs	Peck	Travis
Carpenter, I. S.	Gillette	Phillips	Treanor
Catlin	Gray	Pitcher	Tully
Chase	Griggs	Potter	Tuthill, H. H.
Chickering	Havens	Potts	Tuttle, R. M.
Childs	Hayes	Rhodes	Waterbury
Clancy	Howland	Root	Wells, D. A.
Clowes	Hurd	Russell	Wells, J. L.
Comstock	Kennedy	Sanders	Weston
Congdon	Lefever	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to restrict appeals to the court of appeals in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sipp
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Davis	Low	Skinner
Beach	Douglass	McCabe	Tallmadge
Beates	Duguid	McDonald	Terpeny
Benedict, E. D.	Ellis	Mead	Terry
Bradley	Evans	Miller	Thilemann
Brennan	Ferris	Mooers	Titus
Bridges	Fish	Morgan	Tozier
Brodsky	Gillette	Newman	Travis
Bullock	Gray	Parker	Tully
Carpenter, I. S.	Gwinup	Peck	Tuthill, H. H.
Catlin	Hagan	Phillips	Walsh
Chase	Havens	Pitcher	Warner
Chickering	Hoffman	Potter	Waterbury
Childs	Howland	Rhodes	Wells, D. A.

Clancy  
Clark  
Clowes  
Congdon

Hurd  
Ingersoll  
Kennedy

Russell  
Sanders  
Seeley

Weston  
Wren  
Youngs

Those who voted in the negative, were

Chamberlain  
Comstock

Potts  
Root

Sherman

Tuttle, R. M.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the board of trustees of school district number three of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Bradley  
Brennan  
Brodsky  
Bullock  
Carpenter, I. S.  
Catlin  
Chickering  
Childs  
Clark  
Clowes  
Cohen  
Comstock  
Cookinham  
Crapser  
Cullinan

Curtis  
Davis  
Deane  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris  
Fish  
Gibbs  
Gillette  
Gray  
Gwinup  
Havens  
Hayes  
Howland  
Hurd  
Ingersoll  
Kennedy  
Lefever

Liddle  
Lindsay  
McCabe  
McDonald  
Mead  
Miller  
Mooers  
Morgan  
Newman  
Parker  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes  
Roberts  
Russell  
Sanders  
Seeley  
Shanley

Sheridan  
Sherman  
Sipp  
Sisson  
Skinner  
Steele  
Strait  
Tallmadge  
Terpeny  
Thilemann  
Titus  
Tozier  
Travis  
Tuthill, H. H.  
Tuttle, R. M.  
Warner  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act in relation to the taxation of savings banks and institutions for savings."

The bill entitled "An act for the relief of Babette Stemmler," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 2 } .

Those who voted in the affirmative, were

Alvord	Cohen	Ingersoll	Sanders
Andrews	Cookinham	Kennedy	Seeley
Baker, B. F.	Costello	Lefever	Shanley
Baker, C. S.	Crapser	Liddle	Sherman
Beach	Cullinan	Lindsay	Shuit
Beates	Curtis	Low	Sisson
Benedict, E. D.	Davis	McCabe	Skinner
Benedict, T. E.	Deane	McDonald	Steele
Bradley	Douglass	Miller	Tallmadge
Brennan	Duell	Mitchell	Terpeny
Bridges	Duguid	Mooers	Terry
Brodsky	Evans	Morgan	Titus
Bullock	Ferris	Newman	Tozier
Carpenter, E. A.	Fish	Parker	Travis
Carpenter, I. S.	Gibbs	Peck	Tully
Catlin	Gillette	Phillips	Tuthill, H. H.
Chase	Gray	Pitcher	Walsh
Chickering	Gwinup	Potter	Waterbury
Childs	Hayes	Potts	Wells, J. L.
Clark	Howland	Root	Weston
Clowes	Hurd	Russell	Youngs

Those who voted in the negative, were

Rhodes Warner

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester."

"An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

"An act permitting the common council of the city of Buffalo in its discretion to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo, in the years 1877 and 1878."

"An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday.'"

"An act to incorporate the Grand Council of the Royal Arcanum of the State of New York."

"An act for the preservation of lobsters."

The bill entitled "An act in relation to the taxation of savings banks and institutions for savings," being announced for a third reading,

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following:

Strike out all after the word "sum" and insert the following: "Equal to one-half of one per cent of the whole amount of its deposits and surplus fund on the preceding first day of January, after deducting therefrom every single account of \$250, or less, provided the depositor thereof has no other deposit for his or her benefit in such bank."

Mr. Alvord moved to recommit said bill to the special committee on taxation with instructions to strike out the enacting clause.

After debate,

Mr. Congdon moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, to strike out the enacting clause, and it was determined in the negative.

{ AYES 43 }  
{ NOES 66 }

Those who voted in the affirmative, were

Alvord	Dougherty	McCarthy	Sipp
Andrews	Duell	McTernan	Strait
Baker, C. S.	Duguid	Mead	Thilemann
Brodsky	Fitzgerald	Morgan	Travis
Carpenter, E. A.	Gibbs	Newman	Tully
Catlin	Gray	O'Brien	Van Valkenburgh
Clancy	Hayes	Pitcher	Walsh
Cohen	Hurd	Potter	Waterbury
Congdon	Lefever	Potts	Youngs
Costello	Lindsay	Shanley	Mr. Speaker
Cushing	McAvoy	Sheridan	

Those who voted in the negative, were

Baker, B. F.	Cookinham	Liddle	Sisson
Beach	Crapser	Low	Skinner
Beates	Cullinan	McDonald	Slingerland
Benedict, E. D.	Curtis	Miller	Steele
Benedict, T. E.	Davis	Mitchell	Tallmadge
Bradley	Douglass	Mooers	Terpeny
Brennan	Ellis	Parker	Terry
Bridges	Evans	Peck	Titus
Bullock	Ferris	Rhodes	Tozier
Carpenter, H. S.	Fish	Roberts	Treanor
Case	Griggs	Root	Tuthill, H. H.
Chamberlain	Gwinup	Russell	Tuttle, R. M.
Chase	Hagan	Sanders	Varnum
Chickering	Havens	Seeley	Warner
Childs	Hoffman	Sherman	Wells, D. A.
Clark	Ingersoll	Shuit	Weston
Comstock	Kennedy		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 60 }  
{ NOES 53 }

Those who voted in the affirmative, were

Baker, B. F.	Congdon	Havens	Sherman
Beach	Cookinham	Hoffman	Skinner
Beates	Crapser	Ingersoll	Slingerland
Benedict, T. E.	Cullinan	Kennedy	Steele
Bradley	Curtis	Low	Tallmadge
Brennan	Davis	Miller	Terpeny
Bridges	Douglass	Mitchell	Terry
Bullock	Ellis	Mooers	Titus

Carpenter, I. S.	Evans	Parker	Tozier
Case	Ferris	Peck	Tuthill, H. H.
Chamberlain	Fish	Phillips	Tuttle, R. M.
Chickering	Fiske	Rhodes	Varnum
Childs	Gray	Root	Warner
Clark	Griggs	Sanders	Wells, D. A.
Comstock	Gwinup	Seeley	Weston

Those who voted in the negative, were

Alvord	Duell	McCarthy	Sheridan
Andrews	Duguid	McTernan	Shuit
Baker, C. S.	Fitzgerald	Mead	Sipp
Benedict, E. D.	Gibbs	Morgan	Sisson
Bennett	Gillette	Newman	Strait
Brodsky	Grosse	O'Brien	Travis
Carpenter, E. A.	Hagan	O'Connor	Treanor
Catlin	Hayes	Pitcher	Tully
Clancy	Hurd	Potter	Walsh
Cohen	Husted	Potts	Waterbury
Costello	Lefever	Roberts	Wren
Cushing	Lindsay	Russell	Youngs
Deane	McAvoy	Shanley	Mr. Speaker
Dougherty			

Mr. Steele moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877,' " was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 70 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Strait
Baker, C. S.	Curtis	Liddle	Tallmadge
Beach	Davis	Low	Terpeny
Beates	Deane	McAvoy	Terry
Bridges	Dougherty	Mitchell	Titus
Brodsky	Douglass	Mooers	Tozier
Bullock	Duell	Parker	Travis
Carpenter, E. A.	Duguid	Phillips	Tuthill, H. H.
Carpenter, I. S.	Evans	Potter	Tuttle, R. M.
Case	Ferris	Root	Van Valkenburgh

Catlin	Fish	Russell	Varnum
Chase	Gillette	Seeley	Warner
Chickering	Hoffman	Shanley	Waterbury
Childs	Howland	Sisson	Wells, D. A.
Clowes	Hurd	Skinner	Wells, J. L.
Congdon	Husted	Slingerland	Weston
Cookinham	Ingersoll	Steele	Youngs
Crapser	Kennedy		

Those who voted in the negative, were

Benedict, T. E.	Gibbs	McTernan	Sheridan
Clancy	Grosse	Morgan	Treanor
Cohen	Havens	Rhodes	Walsh
Fitzgerald	Lindsay		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Skinner
Andrews	Deane	Liddle	Slingerland
Baker, B. F.	Dougherty	McAvoy	Steele
Baker, C. S.	Douglass	McCabe	Tallmadge
Beach	Duell	McCarthy	Terpeny
Beates	Duguid	Miller	Terry
Benedict, E. D.	Ferris	Mitchell	Titus
Bradley	Fish	Mooers	Tozier
Brennan	Fiske	O'Connor	Travis
Bridges	Fitzgerald	Parker	Tuthill, H. H.
Brodsky	Grosse	Pitcher	Van Valkenburgh
Carpenter, E. A.	Hayes	Potter	Walsh
Carpenter, I. S.	Hoffman	Root	Warner
Case	Howland	Russell	Waterbury
Childs	Hurd	Shanley	Wells, D. A.
Clowes	Husted	Sheridan	Wells, J. L.
Congdon	Ingersoll	Shuit	Weston
Cookinham	Kennedy	Sisson	Youngs
Crapser			

Those who voted in the negative, were

Chamberlain	Lindsay	Rhodes	Tully
Gwinup	Morgan	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

After debate,

Mr. Hayes moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the negative.

Mr. Brodsky moved to recommit said bill to the committee on affairs



of cities, with instructions to amend said bill in words following, and report forthwith:

Section 1, line 9, strike out the words "in a suitable manner for the purpose of a park."

Strike out the entire fourth and fifth sections, and insert as the fourth section the following:

"The ground from which the said reservoir structure is removed, as herein directed, except that portion thereof required to form the continuation of Forty-first street, in said city, shall be laid out in lots for building purposes, and the lots so laid out shall be sold by the commissioners of the sinking fund of said city at public auction, after due advertisement, to the highest bidder, on such terms and conditions as the said commissioners may determine to be for the best interests of the city, and the amounts realized from such sale shall be paid into the sinking fund, and applied to the redemption of the debt of the city of New York."

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Brodsky, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

{ AYES 40 }  
{ NOES 61 }

Those who voted in the affirmative, were

Baker, C. S.	Clark	Fish	Parker
Beach	Comstock	Fitzgerald	Peck
Benedict, T. E.	Crapser	Grosse	Phillips
Bradley	Cullinan	Hoffman	Sherman
Brennan	Curtis	Howland	Skinner
Brodsky	Cushing	McAvoy	Slingerland
Bullock	Dougherty	McCarthy	Treanor
Carpenter, E. A.	Douglass	McDonald	Tuthill, H. H.
Chamberlain	Evans	Miller	Walsh
Childs	Ferris	Mitchell	Waterbury

Those who voted in the negative, were

Alvord	Gray	O'Brien	Strait
Andrews	Gwinup	O'Connor	Terry
Baker, B. F.	Hagan	Pitcher	Thilemann
Beates	Havens	Potter	Titus
Benedict, E. D.	Hayes	Potts	Tozier
Bennett	Husted	Rhodes	Travis
Carpenter, I. S.	Ingersoll	Root	Tuttle, R. M.
Case	Kennedy	Russell	Van Valkenburgh
Catlin	Liddle	Sanders	Varnum
Chickering	Lindsay	Seeley	Warner
Cohen	Low	Shanley	Wells, D. A.
Davis	McCabe	Sheridan	Wells, J. L.
Deane	Mooers	Shuit	Weston
Fiske	Morgan	Sisson	Wren
Gibbs	Newman	Steele	Youngs
Gillette			

When the name of Mr. Duell was called, he stated that he was paired with Mr. Cookinham.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative.

{ AYES 59 }  
{ NOES 39 }

Those who voted in the affirmative, were

Alvord	Gray	O'Brien	Terry
Andrews	Hagan	O'Connor	Thilemann
Baker, B. F.	Havens	Pitcher	Titus
Beates	Hayes	Potter	Tozier
Bennett	Hurd	Potts	Travis
Carpenter, I. S.	Husted	Rhodes	Tuttle, R. M.
Catlin	Ingersoll	Root	Van Valkenburgh
Chase	Kennedy	Russell	Varnum
Chickering	Liddle	Sanders	Warner
Clowes	Lindsay	Seeley	Wells, D. A.
Cohen	Low	Shanley	Wells, J. L.
Davis	McCabe	Sheridan	Weston
Deane	Mooers	Shuit	Wren
Gibbs	Morgan	Sisson	Youngs
Gillette	Newman	Strait	

Those who voted in the negative, were

Beach	Comstock	Gwinup	Phillips
Benedict, T. E.	Crapser	Hoffman	Sherman
Bradley	Cullinan	Howland	Skinner
Brennan	Curtis	McAvoy	Slingerland
Brodsky	Cushing	McCarthy	Steele
Carpenter, E. A.	Dougherty	McDonald	Treanor
Case	Douglass	Miller	Tuthill, H. H.
Chamberlain	Fish	Mitchell	Walsh
Childs	Fitzgerald	Parker	Waterbury
Clark	Grosse	Peck	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

At two o'clock and thirty minutes, the House took a recess until four P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names :

Alvord	Davis	McDonald	Sipp
Beates	Deane	McTernan	Sisson
Benedict, T. E.	Douglass	Miller	Skinner
Bradley	Duell	Mooers	Slingerland
Bridges	Fiske	Morgan	Strait
Brodsky	Fitzgerald	Nowlan	Terpeny
Bullock	Gibbs	O'Connor	Thilemann
Carpenter, I. S.	Gwinup	Parker	Tormey
Case	Hagan	Peck	Tully
Chamberlain	Havens	Phillips	Tuthill, H. H.
Chickering	Hoffman	Pitcher	Tuttle, R. M.

Childs	Hurd	Potts	Van Valkenburgh
Clancy	Ingersoll	Rhodes	Warner
Cohen	Lefever	Roberts	Waterbury
Costello	Liddle	Root	Wells, J. L.
Crapser	Low	Russell	Weston
Cullinan	McCabe	Shanley	Wren
Cushing	McCarthy	Sheridan	Mr. Speaker 72

A quorum being present.

By unanimous consent,

Mr. Shanley offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 714, general orders No. 850, entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message was received from the Senate in words following:

IN SENATE, *May 6, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to the deposit of stocks in the Bank Department."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Pitts, and by unanimous consent, the same was amended as follows:

Strike out all after the words "is held," in line 19, engrossed bill, down to and including the word "assessments," in line 23, and insert in lieu thereof the following:

"The Superintendent of the Banking Department may, in his discretion, maintain an action in his name of office against any bank, banking association, or individual banker, for the recovery of any penalty incurred by or lawful assessments imposed upon any bank, banking association, or individual banker."

And as amended passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Low	Sherman
Beach	Cushing	McCabe	Sipp
Beates	Davis	McCarthy	Sisson
Benedict, E. D.	Deane	McDonald	Skinner
Benedict, T. E.	Douglass	McTernan	Slingerland
Bradley	Duell	Miller	Steele
Bridges	Evans	Mooers	Strait
Brodsky	Fish	Morgan	Tallmadge

Bullock	Fiske	Nowlan	Terpeny
Carpenter, I. S.	Fitzgerald	O'Brien	Thilemann
Case	Gibbs	O'Connor	Tormey
Chamberlain	Gwinup	Parker	Tuthill, H. H.
Chase	Hagan	Peck	Tuttle, R. M.
Chickering	Havens	Phillips	Van Valkenburgh
Childs	Hoffman	Pitcher	Warner
Clancy	Hurd	Potts	Waterbury
Clowes	Ingersoll	Rhodes	Wells, J. L.
Cohen	Kennedy	Roberts	Weston
Comstock	Lefever	Root	Wren
Cookinham	Liddle	Russell	Youngs
Costello	Lindsay	Shanley	

Those who voted in the negative, were  
Walsh

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Sherman
Beach	Davis	McCabe	Sipp
Beates	Deane	McCarthy	Sisson
Benedict, E. D.	Douglass	McDonald	Skinner
Benedict, T. E.	Duell	Miller	Slingerland
Bradley	Ferris	Mooers	Steele
Bridges	Fish	Morgan	Strait
Brodsky	Fiske	Newman	Tallmadge
Bullock	Fitzgerald	Nowlan	Terpeny
Carpenter, E. A.	Gibbs	O'Connor	Terry
Carpenter, I. S.	Gwinup	Parker	Titus
Case	Hagan	Peck	Tully
Catlin	Havens	Phillips	Tuthill, H. H.
Chamberlain	Hoffman	Pitcher	Tuttle, R. M.
Chase	Howland	Potts	Van Valkenburgh
Childs	Hurd	Rhodes	Warner
Clancy	Ingersoll	Roberts	Waterbury
Clowes	Kennedy	Root	Wells, J. L.
Cohen	Lefever	Russell	Weston
Cookinham	Liddle	Sanders	Wren
Costello	Lindsay	Shanley	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the bill entitled "An act authorizing individuals, joint-stock associations or corporations engaged in the manufacture of railroad cars to lay down and maintain railroad tracks connecting their manufacturing establishments with existing railroads."

On motion of Mr. Rhodes, and by unanimous consent, said bill was substituted for Assembly bill No. 749, now on general orders.

On motion of Mr. Liddle, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McTernan	Sipp
Andrews	Deane	Miller	Sisson
Beach	Douglass	Mitchell	Skinner
Beates	Duell	Mooers	Slingerland
Benedict, E. D.	Evans	Morgan	Steele
Bradley	Ferris	Newman	Strait
Bridges	Fish	Nowlan	Tallmadge
Brodsky	Fitzgerald	O'Connor	Terpeny
Bullock	Gibbs	Parker	Terry
Carpenter, I. S.	Gwinup	Peck	Thilemann
Case	Hagan	Phillips	Titus
Catlin	Hoffman	Pitcher	Tormey
Chase	Howland	Potts	Tozier
Chickering	Hurd	Rhodes	Tully
Childs	Ingersoll	Roberts	Tuthill, H. H.
Clancy	Kennedy	Root	Tuttle, R. M.
Clowes	Lefever	Russell	Warner
Cohen	Liddle	Sanders	Waterbury
Cookinham	Lindsay	Seeley	Wells, J. L.
Costello	McCabe	Shanley	Weston
Crapser	McCarthy	Sherman	Wren
Cushing	McDonald		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 193, general orders No. 210, entitled "An act to establish and maintain a police force in the city of Troy," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to alter the map or plan of the city of New York, by providing for the reopening, extension and opening of a part of Bloomingdale road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to require life insurance companies to attach a copy of all applications for insurance to policies issued by such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon,

in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act defining the powers and duties of the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Hurd, and by unanimous consent, said bill was substituted for Assembly bill No. 718.

"An act relating to the Central New York Institution for Deaf Mutes at Rome, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cookinham, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sipp
Andrews	Curtis	Low	Sisson
Baker, B. F.	Cushing	McCabe	Skinner
Beach	Davis	McDonald	Slingerland
Beates	Deane	Mead	Steele
Benedict, E. D.	Douglass	Miller	Strait
Benedict, T. E.	Duell	Mooers	Tallmadge
Bradley	Evans	Morgan	Terpeny
Brennan	Ferris	Newman	Terry
Bridges	Fish	Nowlan	Thilemann
Brodsky	Fiske	O'Connor	Titus
Bullock	Fitzgerald	Parker	Tozier
Carpenter, E. A.	Griggs	Peck	Tully
Carpenter, I. S.	Gwinup	Phillips	Tuthill, H. H.
Case	Hagan	Pitcher	Tuttle, R. M.
Catlin	Havens	Potts	Varnum
Childs	Hoffman	Rhodes	Warner
Clark	Howland	Roberts	Waterbury
Clowes	Hurd	Root	Wells, J. L.
Congdon	Ingersoll	Sanders	Weston
Cookinham	Kennedy	Seeley	Wren
Costello	Lefever	Sheridan	Youngs
Crapser	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following bills:

"An act to amend section 24 of article 1 of title i of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the Board of Regents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"Concurrent resolution proposing an amendment to section 12 of article 6 of the Constitution," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary.

"Concurrent resolution proposing an amendment to article 6 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill general orders No. 896, entitled "An act amending the act incorporating the village of Attica;" also, Senate bill general orders No. 784, entitled "An act authorizing the sale of the burial ground in the village of Attica," and that said bills be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

In accordance with a resolution of the Assembly of May 5, 1880, the Senate returned Assembly bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties, in lieu of all charges now made against said county," for amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Liddle	Shanley
Andrews	Cookinham	Lindsay	Sherman
Baker, B. F.	Crapser	Low	Sipp
Baker, C. S.	Cullinan	McCabe	Siason
Beates	Curtis	McDonald	Skinner
Benedict, E. D.	Davis	Mead	Slingerland
Benedict, T. E.	Deane	Miller	Steele
Bradley	Douglas	Mooers	Tallmadge
Brennan	Ferris	Morgan	Terpeny
Bridges	Fish	Newman	Thilemann
Brodsky	Fiske	Nowlan	Titus
Bullock	Fitzgerald	O'Brien	Tozier
Carpenter, E. A.	Griggs	Parker	Tully
Carpenter, I. S.	Gwinup	Peck	Tuthill, H. H.
Case	Havens	Phillips	Tuttle, R. M.
Catlin	Hoffman	Pitcher	Warner
Chamberlain	Howland	Rhodes	Waterbury
Chase	Hurd	Roberts	Wells, J. L.
Childs	Ingersoll	Root	Weston
Clark	Kennedy	Russell	Wren
Clowes	Lefever	Sanders	

Mr. Brennan moved to substitute Senate bill No. 389 for said bill, in words following:

Section 1. In each of the counties of Richmond and Franklin, the board of supervisors thereof is hereby authorized and empowered to



fix the salary of the county clerk of such county for all services performed by him as such clerk for such counties, and said board is directed annually to cause to be assessed and collected upon the taxable property of such county a sum sufficient for the payment of said salary, and such salary, when so fixed, shall be in lieu of all fees now paid said clerk by such county for such services rendered said county.

§ 2. This act shall take effect immediately, but the compensation of the clerk now in office shall not be fixed by said board unless such clerk shall notify the board of supervisors of his county that he consents to have his compensation fixed as provided herein.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Seeley
Andrews	Cullinan	Lefever	Shanley
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCabe	Steele
Brennan	Duell	McDonald	Terpeny
Bridges	Duguid	McTernan	Terry
Brodsky	Ferris	Mead	Titus
Carpenter, E. A.	Fish	Miller	Tozier
Carpenter, I. S.	Fiske	Mooers	Tully
Case	Gibbs	Nowlan	Tuthill, H. H.
Catlin	Gray	Parker	Tuttle, R. M.
Chickering	Griggs	Peck	Varnum
Childs	Grosse	Potts	Warner
Clark	Gwinup	Rhodes	Waterbury
Clowes	Hagan	Roberts	Wells, J. L.
Cohen	Hoffman	Root	Weston
Cookinham	Howland	-Russell	Wren
Costello	Ingersoll	Sanders	

Those who voted in the negative, were

Pitcher

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker announced as the conference committee on Senate bill No. 328, entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States," Messrs. Tallmadge, of Kings; Steele, of Oswego; Russell, of Kings; Sanders, of Genesee, and Catlin, of Westchester.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Assembly bill entitled "An act to amend sub-

division 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1. Strike out all after the word "follows," in line 4, down to and including the word "inhabitants" in line 18, and insert the following:

"1. The names of all the persons voted for by any electors at any election, excepting electors of President and Vice-President, chief and associate judges of the Court of Appeals, justice of the Supreme Court, county judges, separate officers to perform the duties of the office of surrogates and local officers to discharge the duties of county judge and surrogate, representatives in Congress, Senators, members of Assembly and school commissioners."

Line 21, before the word "judges," insert "chief and associate;" line 24, strike out the word "perform" and insert "discharge;" line 26, strike out the word "and" and insert "but in every county (except the county of New York) containing a city of more than two hundred thousand inhabitants;" same line, after the word "all" insert "the;" in lines 29, 30 and 31 strike out the word "of" whenever it occurs; line 32, strike out "as herein provided."

Section 2, lines 13 and 14, strike out "in the proper counties;" strike out all of section 3, and make "section 4" "section 3;" amend the title so as to read as follows:

"An act to amend title 4, chapter 6, part 1 of the Revised Statutes, entitled 'of the manner of conducting elections.'"

Mr. Varnum moved that the Assembly do non-concur in the amendments made in the Senate to said bill, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston introduced a bill entitled "An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westchester, Essex county, New York, on real estate security," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Weston, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. D. Benedict moved to lay all order of business on the table, at five o'clock and thirty minutes, and take up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Varnum moved to reconsider the vote by which Senate bill No.

121, in reference to the removal of the reservoir in the city of New York was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sherman
Andrews	Curtis	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Baker, C. S.	Dougherty	McAvoy	Sisson
Beach	Douglass	McCarthy	Skinner
Beates	Duell	McTernan	Slingerland
Benedict, E. D.	Duguid	Mead	Steele
Benedict, T. E.	Evans	Mooers	Tallmadge
Bradley	Ferris	Morgan	Terpeny
Brennan	Fish	Nowlan	Titus
Bridges	Fiske	O'Brien	Tozier
Brodsky	Gillette	Parker	Tully
Carpenter, I. S.	Gray	Peck	Tuthill, H. H.
Case	Griggs	Phillips	Tuttle, R. M.
Catlin	Havens	Potts	Van Valkenburgh
Chase	Hoffman	Roberts	Varnum
Childs	Howland	Root	Warner
Clark	Hurd	Russell	Waterbury
Clowes	Ingersoll	Seeley	Wells, J. L.
Congdon	Kennedy	Shanley	Weston
Cookinham	Lefever	Sheridan	Wren
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Costello stated that he was absent during the consideration of the Senate bill in relation to the removal of the reservoir in the city of New York. Had he been present he would have voted in the negative.

The bill entitled "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sanders
Baker, B. F.	Cushing	Lefever	Seeley

Baker, C. S.	Davis	Liddle	Sheridan
Beach	Deane	Lindsay	Sherman
Beates	Dougherty	Low	Sipp
Benedict, E. D.	Douglass	McAvoy	Sisson
Bradley	Duell	McCabe	Skinner
Bridges	Duguid	McTernan	Slingerland
Brodsky	Evans	Miller	Steele
Bullock	Ferris	Mooers	Tallmadge
Carpenter, I. S.	Fish	Newman	Terpeny
Catlin	Fiske	Nowlan	Titus
Chamberlain	Gibbs	Parker	Travis
Chase	Gray	Peck	Tuthill, H. H.
Chickering	Griggs	Phillips	Tuttle, R. M.
Childs	Gwinup	Potts	Warner
Clark	Hoffman	Roberts	Waterbury
Clowes	Howland	Root	Wells, J. L.
Congdon	Hurd	Russell	Mr. Speaker

Those who voted in the negative, were

Andrews	Grosse	McDonald	Van Valkenburgh
Crapser	Kennedy	Morgan	Weston
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act permitting the common council of the city of Buffalo, in its discretion, to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Russell
Andrews	Congdon	Ingersoll	Seeley
Baker, B. F.	Cookinham	Kennedy	Shanley
Baker, C. S.	Costello	Lefever	Sherman
Beach	Crapser	Liddle	Skinner
Beates	Cullinan	Low	Slingerland
Benedict, E. D.	Curtis	McAvoy	Terpeny
Brennan	Davis	McCabe	Terry
Bridges	Deane	Mead	Titus
Brodsky	Douglass	Miller	Travis
Bullock	Duguid	Mooers	Tully
Carpenter, I. S.	Evans	Morgan	Tuttle, R. M.
Case	Ferris	Newman	Walsh
Catlin	Fiske	Nowlan	Warner
Chamberlain	Fitzgerald	O'Connor	Waterbury
Chase	Gibbs	Parker	Wells, D. A.
Chickering	Gillette	Peck	Wells, J. L.
Childs	Grosse	Phillips	Weston
Clark	Hoffman	Potts	Wren
Clowes	Howland	Root	Youngs

Those who voted in the negative, were

Sipp

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
 { NOES 2 }

Those who voted in the affirmative, were

Alvord	Cohen	Hurd	Seeley
Andrews	Congdon	Ingersoll	Sheridan
Baker, B. F.	Costello	Kennedy	Shuit
Baker, C. S.	Crapser	Lefever	Sisson
Beach	Curtis	Liddle	Skinner
Beates	Cushing	Lindsay	Slingerland
Benedict, E. D.	Davis	McAvoy	Steele
Benedict, T. E.	Deane	McCabe	Terpeny
Bridges	Dougherty	McCarthy	Terry
Brodsky	Douglass	Mead	Titus
Bullock	Duguid	Miller	Tozier
Carpenter, E. A.	Evans	Moders	Travis
Carpenter, I. S.	Ferris	Morgan	Tuthill, H. H.
Case	Fish	Peck	Tuttle, R. M.
Catlin	Gillette	Phillips	Van Valkenburgh
Chamberlain	Griggs	Pitcher	Walsh
Chase	Grosse	Potts	Warner
Chickering	Havens	Roberts	Waterbury
Childs	Hayes	Rqot	Wells, J. L.
Clark	Hoffman	Russell	Wren
Clowes	Howland	Sanders	

Those who voted in the negative, were

Fitzgerald      McDonald

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday,'" being announced for a third reading,

Mr. Cookinham moved to refer said bill back to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Weston moved to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }  
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sipp
Baker, B. F.	Dougherty	Liddle	Sisson
Baker, C. S.	Ellis	Lindsay	Skinner
Benedict, E. D.	Ferris	Low	Slingerland
Benedict, T. E.	Fish	McAvoy	Steele
Bradley	Fiske	McCarthy	Strait
Brodsky	Fitzgerald	McDonald	Terpeny
Carpenter, E. A.	Gibbs	McTernan	Terry
Catlin	Gillette	Miller	Thilemann
Chase	Gray	Newman	Titus
Clancy	Griggs	Parker	Tormey
Clark	Grosse	Peck	Treanor
Clowes	Hayes	Pitcher	Tully
Cohen	Howland	Rhodes	Varnum
Comstock	Hurd	Russell	Walsh
Costello	Husted	Sheridan	Warner
Crapser	Ingersoll	Sherman	Wells, J. L.
Cullinan			

Those who voted in the negative, were

Bridges	Cookinham	Kennedy	Root
Bullock	Curtis	McCabe	Seeley
Carpenter, I. S.	Davis	Mooers	Tozier
Case	Douglass	Morgan	Tuttle, R. M.
Chamberlain	Gwinup	Nowlan	Waterbury
Chickering	Havens	Phillips	Wren
Childs	Hoffman	Potts	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker in the chair.

The bill entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the falls of Niagara," being announced for a third reading,

Mr. Low moved to recommit said bill to the committee on ways and means, with instructions to amend said bill in words following:

Section 15, line 1, engrossed bill, strike out the word "ten" and insert "five."

Mr. Cullinan moved to further instruct said committee to amend said bill in words following:

Section 16. It is hereby declared that no appropriation shall be hereafter made for the purposes of acquiring title to the lands to be located by this act, or for any purpose, unless the question of said appropriation shall be submitted to a vote of the People of this State, and a majority of those voting being in favor of said proposed appropriation.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cullinan, and it was determined in the negative.

{ AYES 40 }  
{ NOES 67 }

Those who voted in the affirmative, were

Benedict, T. E.	Curtis	McAvoy	Sanders
Bennett	Cushing	McDonald	Shuit
Bridges	Dougherty	McTernan	Skinner

Oase	Ferris	Miller	Slingerland
Chamberlain	Fitzgerald	Morgan	Steele
Chase	Gibbs	Newman	Thilemann
Clancy	Gray	Nowlan	Tozier
Clark	Griggs	Peck	Tully
Cohen	Gwinup	Rhodes	Tuthill, H. H.
Cullinan	Hoffman	Russell	Walsh

Those who voted in the negative, were

Alvord	Deane	Low	Terpeny
Andrews	Douglass	McCarthy	Terry
Baker, B. F.	Duguid	Mitchell	Titus
Baker, C. S.	Evans	Mooers	Tormey
Beach	Fish	Parker	Travis
Bradley	Fiske	Phillips	Treanor
Brennan	Gillette	Pitcher	Tuttle, R. M.
Bullock	Grosse	Potts	Van Valkenburgh
Carpenter, E. A.	Havens	Roberts	Varnum
Carpenter, I. S.	Hayes	Root	Warner
Catlin	Howland	Seeley	Waterbury
Childs	Hurd	Shanley	Wells, J. L.
Clowes	Husted	Sheridan	Weston
Congdon	Ingersoll	Sherman	Wren
Cookinham	Kennedy	Sipp	Youngs
Grapser	Liddle	Sisson	Mr. Speaker
Davis	Lindsay	Strait	

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Low, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Mr. Sharpe moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 65 }  
{ NOES 49 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sherman
Andrews	Deane	Low	Shuit
Baker, B. F.	Douglass	McCabe	Sipp
Baker, C. S.	Duell	Miller	Tallmadge
Bradley	Duguid	Mitchell	Terpeny
Brennan	Fiske	Mooers	Terry
Brodsky	Gillette	Morgan	Titus
Bullock	Griggs	O'Brien	Tuttle, R. M.
Carpenter, E. A.	Grosse	Phillips	Van Valkenburgh
Carpenter, I. S.	Hayes	Pitcher	Varnum
Catlin	Hurd	Potts	Waterbury
Chamberlain	Husted	Roberts	Wells, J. L.
Chickering	Ingersoll	Root	Weston
Clark	Kennedy	Russell	Wren
Clowes	Lefever	Seeley	Youngs
Congdon	Liddle	Shanley	Mr. Speaker
Cookinham			



Those who voted in the negative, were

Beach	Curtis	Howland	Skinner
Beates	Cushing	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCarthy	Steele
Benedict, T. E.	Evans	McDonald	Strait
Bridges	Ferris	McTernan	Thilemann
Case	Fish	Newman	Tormey
Chase	Fitzgerald	Nowlan	Tozier
Childs	Gibbs	Parker	Travis
Clancy	Gray	Peck	Treanor
Cohen	Gwinup	Rhodes	Tully
Costello	Havens	Sanders	Tuthill, H. H.
Crapser	Hoffman	Sheridan	Walsh
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to further amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the several acts amendatory thereof.

"An act to incorporate the Holstein Breeders Association of America."

"An act to incorporate the Grand Lodge Knights of Honor of the State of New York."

"An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga."

"An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York."

The Senate returned Assembly resolution requesting the return of Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport," for amendment, with a message that they have concurred in the same.

*Ordered*, That the Clerk deliver said resolution to the Governor.

The Senate returned Assembly bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878,' with a message that they reconsidered the vote on the final passage of said bill, and, as amended, passed the same.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Varnum moved that the time of the session be extended for one-half hour, for the introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hoffman introduced a bill entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brennan introduced a bill entitled "An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit, and to define its powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Newman introduced a bill entitled "An act to provide for the payment of certain awards for the widening of Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. E. D. Benedict introduced a bill entitled "An act to repeal chapter 444 of the Laws of 1876, passed June 2, 1876, to establish a State board of audit, and define its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for the safety of railroad passengers crossing Coney Island creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Shanley introduced a bill entitled "An act in relation to highways of this State of certain width," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sheridan introduced a bill entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chamberlain, in behalf of Mr. Russell, introduced a bill entitled "An act in relation to cleaning the streets, sewers and sewer basins in, and removing ashes, garbage, night-soil, dead animals, and other refuse matter from the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarthy introduced a bill entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York, to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thilemann introduced a bill entitled "An act to amend an act entitled 'An act in relation to the improvement of First avenue in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Thilemann said bill was referred to the sub-committee of the whole.

Mr. Brodsky introduced a bill entitled "An act to provide for the repavement of a part of Fifth avenue in the city of New York," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to establish a voluntary savings fund for the benefit of the police department, and force of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonald introduced a bill entitled "An act to further amend an act entitled 'An act requiring mortgages of personal property to be filed in the town clerks' and other offices, passed April 29, 1833, and amended May 13, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cohen introduced a bill entitled "An act regulating the operation and management of passenger and other elevators," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Case introduced a bill entitled "An act to establish the boundaries of the village of Victor, in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Case, said bill was ordered engrossed to a third reading.

Mr. Bridges introduced a bill entitled "An act to legalize the official acts of Henry G. Wood as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cullinan introduced a bill entitled "An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company, to any indebtedness against said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Bradley introduced a bill entitled "An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, said bill was ordered to a third reading.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Fiske (introductory No. 1149), entitled "An act to amend an act, chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,'" reported in favor of the passage of the same, which

report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 491), entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thilemann (introductory No. 947), entitled "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court, in the city of New York, during part of the year 1879," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzgerald (introductory No. 1158), entitled "An act to provide for the rebuilding of Fulton market in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 242), entitled "An act to provide for the adjustment and settlement of claims of interest, on payments made by the mayor, aldermen and commonalty of the city of New York, on certain contracts for works of local improvements in said city," reported in favor of the passage of the same, with amendments, and the title amended so as to read as follows: "An act relating to certain local improvements in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was ordered to a third reading.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 254), entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 827), entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, and reduce the burden of taxes to be levied in said city,'" reported in favor of the passage of the same, with amendments, and with the title amended so as to read as follows: "An act to provide for filling certain vacant offices in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum gave notice that he would, at some future day, move to suspend Rules 25, 39, 41, 42 and 43, for the purpose of moving to order Assembly bill introductory No. 827, entitled "An act to provide for filling certain vacant offices in the city of New York," to a third reading, without being considered in the committee of the whole, and to have said bill read for a third time out of its regular order.

Mr. Evans, from the committee on internal affairs, to which was

referred the bill introduced by Mr. E. A. Carpenter (introductory No. 1034), entitled "An act to authorize the supervisor of the town of Southampton, Suffolk county, to acquire landing places in said town," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1152), entitled "An act to further amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 625), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" to report complete at any time, reported in favor of the passage of the same, with amendment, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 259), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 225), entitled "An act to repeal chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands, situate in the towns of Bloomingrove and Chester, in the county of Orange,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 266), entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 274), entitled "An act in relation to drains, ditches and water channels, constructed before the year 1872, for draining swamps, marshes and other low lands," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Cohen (introductory No. 497), entitled "An act for the better security to depositors in savings and other banking institutions," reported adversely thereto, which report was agreed to.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 384), entitled "An act to improve Jackson avenue in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Grosse (introductory No. 1088), entitled "An act to amend chapter 534, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print copies of the new Civil List, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly, the price of the same not to exceed \$2.50 per copy.

On motion of Mr. Bridges, and by unanimous consent, said report was laid over until to-morrow morning for consideration.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Benedict (introductory No. 1153), entitled "An act to secure to inmates of reformatory institutions freedom of worship," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Duguid (introductory No. 1076), entitled "An act to institute a State board of correction and pardons, and county boards of correction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at six o'clock and thirty-five minutes, the House adjourned.

## FRIDAY MORNING, MAY 7, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Holmes.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Shannon.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following :

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Monday evening at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 53 }  
{ NOES 31 }

Those who voted in the affirmative, were

Andrews	Duguid	Mead	Sipp
Benedict, E. D.	Evans	Newman	Steele
Bennett	Ferris	Parker	Tallmadge
Bradley	Gibbs	Peck	Titus
Brennan	Gray	Pitcher	Tozier
Carpenter, I. S.	Hagan	Potts	Travis

Childs	Havens	Rhodes	Treanor
Clancy	Hoffman	Root	Tully
Clowes	Lindsay	Sanders	Tuthill, H. H.
Cohen	Low	Seeley	Waterbury
Cookinham	McAvoy	Shéridan	Wells, J. L.
Cushing	McCabe	Sherman	Wiley
Deane	McTernan	Shuit	Wren
Dougherty			

Those who voted in the negative, were

Alvord	Costello	Husted	Roberts
Baker, B. F.	Crapser	Kennedy	Shanley
Benedict, T. E.	Curtis	Liddle	Sisson
Bridges	Davis	Miller	Skinner
Brodsky	Fiske	Mooers	Terpeny
Bullock	Gwinup	Nowlan	Tuttle, R. M.
Chickering	Hayes	O'Brien	Varnum
Congdon	Hurd	Phillips	

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Beach (introductory No. 1143), entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the village of Watkins,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Beach, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 479) entitled "An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 615) entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1870," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges called from the table the resolution in words following:

*Resolved* (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly, the price of the same not to exceed \$2.50 per copy.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

{ AYES 75 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Cookinham	Low	Shuit
Andrews	Costello	McAvoy	Sipp
Ash	Cullinan	McCabe	Sisson
Baker, B. F.	Cushing	McCarthy	Skinner
Beach	Deane	McDonald	Steele
Benedict, E. D.	Douglass	Miller	Strait
Bradley	Duell	Mooers	Tallmadge
Bridges	Duguid	Nowlan	Terpeny



Brodsky	Ellis	Parker	Travis
Bullock	Evans	Peck	Treanor
Carpenter, E. A.	Fiske	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gray	Pitcher	Tuttle, R. M.
Chase	Hayes	Potter	Varnum
Chickering	Hoffman	Rhodes	Warner
Clancy	Hurd	Root	Waterbury
Clark	Ingersoll	Russell	Wells, J. L.
Clowes	Lefever	Seeley	Wiley
Comstock	Liddle	Sheridan	Wren
Congdon	Lindsay	Sherman	

Those who voted in the negative, were

Benedict, T. E.	Curtis	Potts	Slingerland
Cohen	Gwinup		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Cushing	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Beach	Dougherty	McAvoy	Sisson
Benedict, E. D.	Duell	McCabe	Skinner
Bradley	Duguid	Mead	Slingerland
Bridges	Evans	Miller	Steele
Brodsky	Ferris	Mooers	Strait
Bullock	Fish	Newman	Tallmadge
Carpenter, E. A.	Fiske	Nowlan	Terpeny
Carpenter, I. S.	Fitzgerald	O'Brien	Titus
Case	Gibbs	Parker	Tozier
Catlin	Gray	Phillips	Travis
Chase	Griggs	Pitcher	Treanor
Chickering	Gwinup	Potter	Tully
Childs	Hagan	Potts	Tuthill, H. H.
Clancy	Hayes	Rhodes	Tuttle, R. M.
Clowes	Hoffman	Roberts	Varnum
Comstock	Hurd	Root	Warner
Congdon	Husted	Russell	Waterbury
Cookinham	Ingersoll	Sanders	Wells, J. L.
Costello	Kennedy	Seeley	Wiley
Cullinan	Lefever	Sheridan	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" with a message that they have concurred in the passage of the same, with the following amendments:

Add at end of section 1 the following: "Provided, that no such street or avenue shall be laid out, opened or constructed upon or across any lands heretofore acquired by the right of eminent domain, and held in fee for depot purposes by any railroad corporations without the consent of such corporation."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

(AYES 84)

(NOES 21)

Those who voted in the affirmative, were

Alvord	Dougherty	McAvoy	Sipp
Andrews	Duguid	McCabe	Sisson
Baker, B. F.	Evans	Miller	Skinner
Beach	Ferris	Mooers	Slingerland
Benedict, E. D.	Fish	Nowlan	Steele
Bradley	Fiske	O'Brien	Strait
Bridges	Gillette	Parker	Tallmadge
Brodsky	Gray	Peck	Terpeny
Bullock	Griggs	Phillips	Titus
Carpenter, I. S.	Gwinup	Pitcher	Tozier
Case	Hagan	Potter	Trovis
Catlin	Hayes	Rotta	Treanor
Chase	Hoffman	Rhodes	Tully
Comstock	Hurd	Roberts	Tuthill, H. H.
Congdon	Husted	Root	Tuttle, R. M.
Cookinham	Ingersoll	Russell	Varnum
Cullinan	Kennedy	Sanders	Warner
Curtis	Lefever	Seeley	Waterbury
Cushing	Liddle	Sheridan	Wells, J. L.
Davis	Lindsay	Sherman	Wiley
Deane	Low	Shuit	Wren

Those who voted in the negative, were  
Shanley

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

On motion of Mr. Costello, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill No. 772, general orders No. 945, entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," and said bill was ordered to its third reading.

By unanimous consent,

Mr. Mooers offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 260, entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," now on general orders, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposal

sition of the ashes, garbage and street sweepings in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to facilitate the speedy and economical disposition of refuse from the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That after Monday next this House shall meet every Monday, Tuesday, Wednesday, Thursday and Friday at 10 A. M. and 4 P. M., and on Saturdays at 10 A. M. and sit until 2 P. M., until the final adjournment.

Mr. Cookinham moved to strike out "Monday" and insert "Monday evening at 8 P. M."

Mr. E. D. Benedict moved to strike out "Saturday at 10 A. M. and sit until 2 P. M."

Mr. Speaker put the question whether the House would agree to the motion of Mr. E. D. Benedict, and it was determined in the affirmative.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 781, general orders No. 964, entitled "An act for the preservation of lobsters," may now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 76 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sipp
Baker, B. F.	Cullinan	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Dougherty	McAvoy	Steele
Bradley	Duell	McCabe	Strait
Brennan	Duguid	Miller	Tallmadge
Bridges	Evans	Mooers	Terry
Brodsky	Ferris	Morgan	Tozier
Carpenter, I. S.	Fish	Newman	Travis
Chamberlain	Fiske	Nowlan	Treanor
Chase	Fitzgerald	O'Brien	Tully
Chickering	Griggs	Peck	Tuthill, H. H.
Childs	Gwinup	Phillips	Tuttle, R. M.
Clark	Hayes	Potter	Warner
Clowes	Hoffman	Potts	Waterbury

Comstock  
Congdon  
Cookinham  
Costello

Husted  
Ingersoll  
Kennedy  
Lefever

Russell  
Seeley  
Sherman  
Shuit

Wells, D. A.  
Wells, J. L.  
Wiley  
Wren

Those who voted in the negative, were

Benedict, E. D.

Catlin

Havens

Sheridan

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That this House will adjourn *sine die* on Friday, May 21, at 12 o'clock, noon.

*Ordered*, That the same be laid upon the table.

The Senate returned Assembly bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 4, strike out "Classon avenue;" line 8, after the word "avenue" insert "or in, upon, or through any portion of Classon avenue, in said city, from a point on the southerly side of Park avenue to Atlantic avenue."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Beach  
Beates  
Bennett  
Bradley  
Brennan  
Bridges  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chamberlain  
Chase  
Chickering  
Clancy  
Clowes  
Comstock

Congdon  
Cookinham  
Costello  
Crapser  
Cullinan  
Curtis  
Cushing  
Davis  
Duell  
Duguid  
Evans  
Fish  
Fiske  
Fitzgerald  
Gibbs  
Griggs  
Gwinup  
Hoffman  
Hurd  
Ingersoll

Kennedy  
Lefever  
Liddle  
Low  
McTernan  
Miller  
Mooers  
Morgan  
Nowlan  
O'Brien  
Phillips  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders  
Seeley  
Sheridan

Shuit  
Sipp  
Sisson  
Skinner  
Slingerland  
Steele  
Strait  
Tallmadge  
Titus  
Tozier  
Tuthill, H. H.  
Tuttle, R. M.  
Van Valkenburgh  
Varnum  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Wiley  
Wren

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The bill entitled "An act to reduce the expenses of the improvement commission in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.]

A. D. 1877  
A. D. 1877

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sipp
Andrews	Curtis	Liddle	Sisson
Baker, B. A.	Cushing	Low	Skinner
Beach	Dougherty	McAvoy	Slingerland
Beates	Duell	McCabe	Steele
Bradley	Duguid	Miller	Strait
Brennan	Ellis	Mooers	Tallmadge
Bridges	Evans	Nowlan	Terry
Brodsky	Ferris	O'Brien	Titus
Bullock	Fish	Peck	Tozier
Carpenter, E. A.	Fiske	Phillips	Travis
Case	Fitzgerald	Pitcher	Treanor
Catlin	Gray	Potter	Tully
Chamberlain	Griggs	Potts	Tuthill, H. H.
Chase	Grosse	Rhodes	Tuttle, R. M.
Chickering	Gwinup	Roberts	Varnum
Clark	Hayes	Root	Warner
Clowes	Hoffman	Sanders	Waterbury
Comstock	Howland	Seeley	Wells, D. A.
Copden	Hurd	Shanley	Wells, J. L.
Coplinham	Husted	Sheridan	Wiley
Costello	Ingersoll	Sherman	Wren
Crapser	Kennedy	Shuit	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations, passed June 2, 1877, and to further extend the time within which said company may commence operations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Seeley
Andrews	Crapser	Low	Shuit
Baker, B. A.	Cullinan	McAvoy	Sipp
Beach	Curtis	McCabe	Skinner
Beates	Davis	McDonald	Slingerland
Benedict, E. D.	Deane	Miller	Steele
Bradley	Dougherty	Mitchell	Tallmadge
Brennan	Duell	Mooers	Terry
Bridges	Duguid	Newman	Titus
Brodsky	Evans	Nowlan	Tozier
Bullock	Ferris	Phillips	Treanor
Carpenter, E. A.	Fish	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Potts	Tuttle, R. M.
Catlin	Gray	Rhodes	Varnum
Childs	Grosse	Roberts	Walsh
Clark	Hagan	Root	Wells, D. A.

**MAY 7.]**

**1880**

Clowes  
Comstock  
Cookinham

Hayes  
Hoffman  
Hurd

Russell  
Sanders

Wells, J. L.  
Wren

Those who voted in the negative, were

Griggs Liddle O'Brien Shanley  
Gwinup Lindsay Parker

**Ordered,** That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,  
ALBANY, May 6, 1880.

*To the Assembly:*

In pursuance of a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 380, entitled, "An act to transfer to Cornell University the securities, moneys and books, tracts constituting and relating to the Cornell endowment fund."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**AYES 78**  
**NOES 60**

Those who voted in the affirmative, were

Alvord	Curtis	McCarthy	Sipp
Andrews	Davis	McDonald	Sisson
Baker, B. P.	Deane	Miller	Skinner
Beach	Duell	Mitchell	Slingerland
Beates	Duguid	Newman	Steele
Benedict, E. D.	Evans	Nowlan	Strait
Bradley	Ferris	O'Brien	Tallmadge
Brennan	Fish	Parker	Terpeny
Bridges	Gray	Peck	Terry
Brodsky	Griggs	Phillips	Titus
Bullock	Gwinup	Pitcher	Tozier
Carpenter, E. A.	Hayes	Potter	Travis
Carpenter, I. S.	Hoffman	Potts	Treanor
Chase	Husted	Rhodes	Tuphill, H. H.
Chickering	Kennedy	Roberts	Tuttle, R. M.
Clark	Lefever	Root	Varnum
Clowes	Lindsay	Sanders	Warner
Cookinham	Low	Seeley	Waterbury
Costello	McAvoy	Shuit	Wiley
Cullinan	McCabe		

On motion of Mr. Titus, and by unanimous consent, said bill was amended by adding at end of "jurat" "three-fifths being present."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

"SUNDAY" "MAY 10" "MAY 11" "MAY 12" "MAY 13" "MAY 14" "MAY 15" "MAY 16" "MAY 17" "MAY 18" "MAY 19" "MAY 20" "MAY 21" "MAY 22" "MAY 23" "MAY 24" "MAY 25" "MAY 26" "MAY 27" "MAY 28" "MAY 29" "MAY 30" "MAY 31"

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were,

Alvord	Curtis	McAvoy	Seeley
Andrews	Davis	McCabe	Shuit
Baker, B. F.	Deane	McCarthy	Sipp
Beach	Duell	McDonald	Sisson
Beates	Duguid	Miller	Skinner
Bradley	Evans	Mitchell	Slingerland
Brennan	Fish	Mooers	Steele
Bridges	Fitzgerald	Morgan	Strait
Brodsky	Gray	Newman	Tallmadge
Bullock	Griggs	Nowlan	Terpeny
Carpenter, E. A.	Grosse	O'Brien	Terry
Carpenter, I. S.	Gwinup	Parker	Titus
Chase	Havens	Peck	Tozier
Chickering	Hayes	Phillips	Travis
Childs	Hoffman	Pitcher	Treanor
Clark	Howland	Potter	Tuttle, R. M.
Clowes	Husted	Potts	Warner
Comstock	Ingersoll	Rhodes	Waterbury
Congdon	Kennedy	Roberts	Wells, D. A.
Cookinham	Lefever	Root	Wells, J. L.
Crapser	Liddle	Sanders	Wiley
Cullinan	Low		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That this Legislature adjourn *sine die* Wednesday, May 26, 1880, at 12 o'clock, noon.

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. McDonald offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 773, general orders No. 946, entitled "An act to provide lights, at the crossing of streets, by the elevated railroads in the city of New York," be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, in words following:

IN SENATE, April 29, 1880:

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled "An act to amend the charter of the city of Buffalo."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 2, line 1, engrossed bill, strike out the word "May" and insert "June."

Section 18, line 2, after the word "forty" insert "nine."



And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Seeley
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Duell	Miller	Slingerland
Benedict, E. D.	Duguid	Mitchell	Steele
Bradley	Evans	Mooers	Terpeny
Bridges	Ferris	Morgan	Terry
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	O'Brien	Tozier
Carpenter, E. A.	Gray	Peck	Travis
Carpenter, I. S.	Griggs	Phillips	Tuttle, R. M.
Chamberlain	Grosse	Pitcher	Varuum
Chase	Hayes	Potter	Warner
Chickering	Hoffman	Potts	Waterbury
Childs	Howland	Roberts	Wells, D. A.
Clark	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Wren
Cookinham	Ingersoll	Sanders	Mr. Speaker
Crapser	Kennedy		

Those who voted in the negative, were

Benedict, T. E.	Dougherty	McAvoy	Shanley
Clancy	Fitzgerald	McCarthy	Thilemann
Cohen	Gibbs	McDonald	Treanor
Costello	Gwinup	Parker	Walsh
Cushing	Havens	Rhodes	Wiley

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Shuit
Andrews	Cullinan	Lindsay	Sisson
Baker, B. F.	Curtis	Low	Skinner
Beach	Davis	Miller	Slingerland
Beates	Deane	Mitchell	Steele
Bradley	Duell	Mooers	Terry
Brennan	Duguid	Nowlan	Titus
Bridges	Evans	O'Brien	Tozier
Brodsky	Ferris	Peck	Travis
Bullock	Fish	Phillips	Tuthill, H. H.
Carpenter, E. A.	Fiske	Pitcher	Tuttle, R. M.

Carpenter, I. S.	Gray	Potter	Warren
Chamberlain	Griggs	Root	Warner
Chase	Hayes	Roberts	Waterbury
Chickering	Hurd	Root	Wells, D. A.
Childs	Husted	Russell	Wells, J. L.
Clark	Ingersoll	Sanders	Wren
Congdon	Kennedy	Seeley	Mr. Speaker
Cookinham	Lefever		

Those who voted in the negative, were

Dougherty	Gwinup	Parker	Treanor
Fitzgerald	Hoffman	Shanley	Walsh
Gibbs	McAvoy	Thilemann	Wiley

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from courts of oyer and terminer," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

M. H. DEBENT

{ AYES 40 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Chase	Hayes	Sheridan
Andrews	Chickering	Lefever	Shuit
Baker, B. F.	Childs	Low	Sipp
Beach	Clark	Nowlan	Sisson
Beates	Crapser	Parker	Skinner
Benedict, E. D.	Deane	Phillips	Slingerland
Brennan	Duguid	Potts	Steele
Bullock	Fiske	Roberts	Tallmadge
Carpenter, E. A.	Gray	Russell	Titus
Carpenter, I. S.	Griggs	Seeley	Tozier

Those who voted in the negative, were

Benedict, T. E.	Gibbs	Miller	Treanor
Cohen	Grosse	Newman	Walsh
Cookinham	Hagan	Reek	Warner
Costello	Havens	Rhodes	Wells, J. L.
Cullinan	McDonald	Shanley	Wiley
Cushing	McTernan	Travis	Wren
Dougherty			

Mr. Congdon moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Shuit
Baker, B. F.	Cookinham	Kennedy	Sipp
Beach	Costello	Lindsay	Sisson

Beates	Crapser	Low	Skinner
Benedict, E. D.	Cullinan	McAvoy	Slingerland
Benedict, T. E.	Davis	Miller	Steele
Bennett	Deane	Mitchell	Tallmadge
Bradley	Dougherty	Newman	Travis
Brennan	Duell	Nowlan	Treanor
Bridges	Duguid	Phillips	Tuthill, H. H.
Brodsky	Ferris	Potter	Tuttle, R. M.
Bullock	Fish	Potts	Waterbury
Carpenter, I. S.	Fiske	Roberts	Wells, D. A.
Chase	Grosse	Russell	Wells, J. L.
Chickering	Gwinup	Sanders	Wren
Childs	Hoffman	Seeley	Mr. Speaker
Comstock	Husted	Sherman	

Mr. Congdon moved to recommit said bill to the committee on the judiciary, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry moved to substitute Senate bill No. 343, entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," for Assembly bill No. 659, same title, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Clowes, and by unanimous consent, Assembly bill entitled "An act authorizing the appointment of special policemen for Long Beach, in the town of Hempstead, Queens county," was referred to the sub-committee of the whole.

The bill entitled "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county," having been announced for a third reading,

On motion of Mr. Slingerland, and by unanimous consent, said bill was amended by inserting after the word "Saratoga," section 1, line 1, the word "Albany."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sherman
Andrews	Cullinan	Low	Shuit
Baker, B. F.	Curtis	McCarthy	Sipp
Beach	Cushing	Mead	Sisson
Beates	Davis	Miller	Skinner
Benedict, E. D.	Deane	Mitchell	Slingerland
Bradley	Duell	Mooers	Steele
Brennan	Duguid	Morgan	Strait
Brodsky	Evans	Newman	Tallmadge
Bullock	Ferris	Nowlan	Terry
Catlin	Fish	Parker	Titus
Chamberlain	Fitzgerald	Peck	Tozier

Chase	Gibbs	Phillips	Travis
Chickering	Gray	Pitcher	Tuthill, H. H.
Childs	Grosse	Potter	Walsh
Clark	Hayes	Potts	Warner
Clowes	Hoffman	Root	Waterbury
Comstock	Husted	Russell	Wells, D. A.
Congdon	Ingersoll	Sanders	Wells, J. L.
Cookinham	Kennedy	Seeley	Mr. Speaker
Costello	Lefever		

Those who voted in the negative, were

Gwinup	Havens	Rhodes
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to provide for the settlement of the boundary lines between the State of New York and the States of Pennsylvania and New Jersey, respectively," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Hayes	Root
Andrews	Comstock	Hoffman	Russell
Baker, B. F.	Congdon	Hurd	Seeley
Beach	Cookinham	Husted	Shuit
Beates	Costello	Ingersoll	Sipp
Benedict, E. D.	Cullinan	Kennedy	Sisson
Benedict, T. E.	Curtis	Lefever	Skinner
Bennett	Cushing	Liddle	Slingerland
Bradley	Davis	Lindsay	Steele
Brennan	Deane	Low	Strait
Bridges	Dougherty	Mead	Terry
Brodsky	Duguid	Miller	Tozier
Bullock	Ferris	Morgan	Travis
Carpenter, I. S.	Fish	Newman	Tuthill, H. H.
Catlin	Fiske	Parker	Tuttle, R. M.
Chamberlain	Fitzgerald	Peck	Van Valkenburgh
Chase	Gibbs	Pitcher	Varnum
Chickering	Gray	Potter	Walsh
Childs	Griggs	Potts	Waterbury
Clark	Grosse	Roberts	Wren
Clowes	Havens		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concnr), That there be printed 500 extra

copies of the Regents of the University on the Resurvey of the New York and Pennsylvania Boundary Line (being Assembly Document No. 100), for the use of the said Regents, with the accompanying maps, and bound in paper covers, all to be paid for according to the prices stipulated in the contract for extra copies.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bills entitled as follows:

"An act to provide for perfecting and enlarging the system of sewerage of the city of Buffalo, and to ascertain the cost of such main or trunk sewers as are now needed, and the proper and equitable method of raising moneys to pay for their construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was substituted for Assembly bill No. 909, general orders No. 753.

"An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York."

Mr. Travis moved to refer said bill to the committee on affairs of cities, with power to report said bill complete.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 24 }  
{ NOES 62 }

Those who voted in the affirmative, were

Alvord	Carpenter, E. A.	Fish	O'Brien
Andrews	Carpenter, I. S.	Fitzgerald	Shuit
Baker, B. F.	Clark	Hoffman	Steele
Bradley	Clowes	Liddle	Travis
Bridges	Curtis	Lindsay	Waterbury
Brodsky	Davis	McCabe	Wells, J. L.

Those who voted in the negative, were

Beach	Cushing	McDonald	Sipp
Benedict, E. D.	Deane	McTernan	Sisson
Bennett	Dougherty	Mead	Skinner
Brennan	Duguid	Miller	Strait
Bullock	Ferris	Mitchell	Tallmadge
Catlin	Fiske	Mooers	Terpeny
Chamberlain	Gibbs	Nowlan	Titus
Chase	Gray	Parker	Tozier
Chickering	Grosse	Phillips	Treanor
Childs	Gwinup	Pitcher	Tully
Clancy	Hagan	Rhodes	Tuthill, H. H.
Oohen	Havens	Root	Tuttle, R. M.
Congdon	Ingersoll	Sanders	Walsh
Cookinham	Low	Seeley	Warner
Costello	McAvoy	Shanley	Wren
Cullinan	McCarthy		

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.  
(See Doc. No. 133.)

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus, to provide for the election of officers for the same, and to declare the said village a separate road district, and also to amend chapter 556 of the Laws of 1868, entitled 'An act to amend the charter of the village of Olean, and supplemental thereto.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes, relating to town meetings."

"An act to authorize summary proceedings by mandamus against common carriers."

"An act to establish the boundaries of the village of Victor, in the county of Ontario."

"An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen."

"An act for the relief of Isaac Piser."

"An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years.'"

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 871, printed No. 183, entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 654, printed No. 203, entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 695, printed No. 187, entitled "An act to provide for the formation of county co-operative insurance companies," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 839, printed No. 250, entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the juris-

diction of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 864, printed No. 119, entitled "An act to allow the continued use of a business name or designation in certain cases," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 630, printed No. 178, entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," reported in favor of the passage of the same, with amendments as follows:

Strike out first 4 lines of section 1, engrossed bill, and insert the following: "Joseph W. Grosvenor, Linus S. Freeman, William H. Freshour, Edwin H. Abbott, James W. Green, William D. Lewis, Edwin Elmore, Simon P. Green, George W. Dowe."

Section 2, line 4, strike out the words "strikes and."

Section 3, line 9, after the word "State" insert "or the rules and regulations of the supreme council."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1085, G. O. 925, not printed, entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1877, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1121, G. O. 922, not printed, entitled "An act for the relief of certain persons engaged in the practice of dentistry within this State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 852, printed No. 716, entitled "An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 900, printed No. 746, entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 612, printed No. 538, entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 824, printed No. 696, entitled "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties,



Ulster county,' " reported in favor of the passage of the same, with an amendment as follows:

Strike out section 2, and insert in lieu thereof the following :

"§ 2. This act shall take effect at the expiration of the term of the present overseer of the poor of the said town of Saugerties."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 859, printed No. 721, entitled "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 593, printed No. 518, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh, passed April 16, 1864, and the several acts additional thereto and amendatory thereof,'" reported in favor of the passage of the same, with amendments as follows:

Strike out section 9 ; change section "ten" to section "nine."

Also to amend the title so that it will read "An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 869, printed No. 731, entitled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases,'" reported in favor of the passage of the same, with an amendment as follows:

To amend the title by inserting after the word amend, in the first line, the following: "section 2 of title 11 of."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1032, G. O. 866, not printed, entitled "An act protecting fish in certain waters of this State," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 5, strike out the word "or" after the word "Oneida;" and insert after the word "rivers," in line 6, the following: "or in the American waters of Niagara river above Niagara Falls."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 815, printed No. 692, entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 813, printed No. 690, entitled "An act to incorporate the Friendship Association of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 611, printed No. 537, entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 420, printed No. 385, entitled "An act to amend an act entitled 'An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for

certain recreative purposes, passed March 14, 1876," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "passed March 14, 1876."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 847, printed No. 711, entitled "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 5, strike out the words "The directors of said village shall appoint three of their number," and insert "The president of the board of directors shall annually, at the meeting of the said board previous to the election for village officers, appoint three of the said directors."

Also to add at end of section 1 as follows: "And who shall serve as such inspectors for one year after, and from their appointment."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 885, printed No. 739, entitled "An act in relation to assessments for taxes in Long Island City," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 247, printed No. 230, entitled "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,'" passed February 26, 1879, reported in favor of the passage of the same, with amendments as follows:

To amend section 2 so that it will read: "This act shall take effect immediately."

Also to amend the title by striking out the words: "Passed February 26, 1879."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 319, printed No. 296, entitled "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes,' passed May 8, 1873," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words: "Passed May 8, 1873."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 779, printed No. 665, entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848, and for other purposes, reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read: "An act to amend section 23 of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered,* That said bills be engrossed for a third reading.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Varnum moved to lay said order of business on the table, for the purpose of taking up order of business introduction of motions and resolutions and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 59 }  
{ NOES 39 }

Those who voted in the affirmative, were

Andrews	Cookinham	Liddle	Shuit
Baker, B. F.	Cullinan	Lindsay	Slingerland
Beach	Curtis	Low	Terry
Beates	Davis	McCabe	Titus
Bradley	Deane	Mitchell	Tozier
Brennan	Duell	Mooers	Travis
Bridges	Fish	Morgan	Tuthill, H. H.
Brodsky	Gray	Nowlan	Tuttle, R. M.
Carpenter, E. A.	Griggs	O'Brien	Van Valkenburgh
Carpenter, I. S.	Hayes	Phillips	Varnum
Chickering	Hurd	Pitcher	Waterbury
Childs	Husted	Potts	Wells, J. L.
Clark	Ingersoll	Root	Wren
Clowes	Kennedy	Russell	Mr. Speaker
Comstock	Lefever	Sanders	

Those who voted in the negative, were

Alvord	Cushing	Hoffman	Shanley
Benedict, E. D.	Dougherty	McAvoy	Sheridan
Benedict, T. E.	Duguid	McCarthy	Strait
Bennett	Fiske	McDonald	Terpeny
Bullock	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Mead	Treanor
Clancy	Grosse	Miller	Tully
Cohen	Gwinup	Newman	Walsh
Congdon	Hagan	Parker	Wiley
Costello	Havens	Rhodes	

When the name of Mr. Skinner was called, he stated that he was paired with Mr. Youngs.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 1180), entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of said city to be discontinued, and recommenced in any court of competent jurisdiction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 261), entitled "An act to make effectual judicial decrees against unknown owners," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 230), entitled "An act

authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 223), entitled "An act for the relief of Thomas Cottman," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 224), entitled "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,'" and also to amend chapter 455 of the Laws of 1851, entitled "An act to extend the act in relation to suits by and against joint-stock companies and associations to companies having a joint or common interest in property," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 283), entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1176), entitled "An act to authorize the city of Oswego to apply proceeds of New York and Oswego Midland Railroad Company stock to pay indebtedness, etc.," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 269), entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 1161), entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 515, general orders No. 590, entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Clowes	Husted	Sanders
Andrews	Comstock	Ingersoll	Shuit
Baker, B. F.	Congdon	Kennedy	Sipp
Beach	Cookinham	Lefever	Skinner
Beates	Cullinan	Liddle	Slingerland
Bradley	Curtis	McCabe	Terry
Brennan	Davis	Miller	Titus
Bridges	Deane	Mitchell	Tozier
Brodsky	Duell	Mooers	Travis
Bullock	Duguid	Morgan	Tuthill, H. H.
Carpenter, E. A.	Ferris	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Fish	Parker	Van Valkenburgh
Chamberlain	Fiske	Phillips	Varnum
Chase	Gray	Pitcher	Waterbury
Chickering	Griggs	Potts	Wells, J. L.
Childs	Hayes	Root	Wren
Clark	Hurd	Russell	Mr. Speaker

Those who voted in the negative, were

Benedict, E. D.	Clancy	Hoffman	Rhodes
Benedict, T. E.	Dougherty	McAvoy	Shanley
Bennett	Gibbs	McTernan	Walsh
Catlin	Havens		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Wren gave notice that on Tuesday, at eleven o'clock, he would move a call of the House.

Mr. Speaker announced the following as a conference committee on Assembly bill No. 69, entitled "An act to amend subdivision 1, section 9 of article 2, title 4, chapter 6, Revised Statutes, in relation to elections and ballots," Messrs. Lindsay, Varnum, Russell, Cullinan and Hoffman.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Mr. Sanders, from the committee on insurance, to which was referred the bill introduced by Mr. Husted (introductory No. 1154), entitled "An act to amend section 3 of chapter 489 of the Laws of 1879, entitled 'An act to regulate the issuance of policies and the reinsurance thereof by fire insurance companies transacting business in this State,' passed June 7, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill (introductory No. 385), entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Cullinan gave notice that at some future day he should move

to reconsider the vote by which Assembly bill No. 615, general orders No. 706, entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the falls of Niagara," was passed.

Mr. Speaker presented the report of the State Engineer and Surveyor in answer to a resolution of the Assembly; which was laid on the table and ordered printed.

(See Doc. No. 88.)

On motion of Mr. Cullinan, and at one o'clock and twenty-five minutes, the House adjourned.

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MONDAY EVENING, MAY 10, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of Friday was read and approved.

Mr. Speaker presented a communication from the Chamber of Commerce of the city of New York, in favor of Senate bill No. 214; also Assembly bill No. 723; which was laid on the table and ordered printed.

(See Doc. No. 138.)

Mr. Newman offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 133, general orders No. 159, entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, for reference to the sub-committee of the whole; which was laid on the table and ordered printed:

No. 656, G. O. 768, Mr. Bridges: "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer to be used for the payment of taxes against said town.'"

No. 742, G. O. 888, Mr. Waterbury: "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county."

No. 755, G. O. 913, Mr. E. D. Benedict: "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847.'"

No. 757, G. O. 915, Mr. Duell: "An act for the relief of Phillip Hathaway."

No. 677, G. O. 798, Mr. Roberts: "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie.'"

No. 465, G. O. 519, Mr. Gibbs: "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of croton water in the city of New York.'"



No. 771, G. O. 944, Mr. Roberts: "An act to authorize the city of Buffalo to issue its bonds for the purposes of increasing the water supply to its inhabitants."

No. 762, G. O. 930, Mr. Fiske: "An act in relation to rates of fare upon certain railroads."

No. 526, G. O. 599, Mr. McCarthy: "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy."

No. 687, G. O. 810, Mr. McCarthy: "An act to amend section 376 of the Code of Civil Procedure."

No. 589, G. O. 674, Mr. Wren: "An act to authorize the Equity Gas Light Company of the eastern district of the city of Brooklyn to change its name."

No. 686, G. O. 809, Mr. McCarthy: "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

No. 753, G. O. 910, Mr. Alvord: "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

No. 754, G. O. 912, Mr. B. F. Baker: "An act to amend chapter 337, Laws of 1874, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers.'"

No. 663, G. O. 777, Mr. B. F. Baker: "An act to facilitate the collection of judgments."

No. 766, G. O. 939, Mr. Deane: "An act for the relief of James B. Brady."

No. 767, G. O. 940, Mr. Deane: "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York."

No. 623, G. O. 716, Mr. McAvoy: "An act granting rights to cities, counties and towns."

Senate bill No. 102, G. O. 477, Mr. Jacobs: "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased."

Senate bill No. 150, G. O. 678, Mr. Braman: "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany."

Senate bill No. 206, G. O. 726, Mr. Forster: "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park."

Senate bill No. 290, Mr. Schroeder: "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice.'"

Senate bill No. 199, G. O. 836, Mr. Bixby: "An act relating to certain buildings erected for county purposes in the city and county of New York."

Senate bill No. 13, G. O. 142, Mr. Williams: "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases.'"

Senate bill No. 171, G. O. 700, Mr. Robertson: "An act to amend chapter 535 of the Laws of 1871, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"



Senate bill No. 135, G. O. 837, Mr. Williams: "An act to give the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865."

Senate bill No. 225, G. O. 819, Mr. Williams: "An act to amend chapter 415 of the Laws of 1863, entitled 'An act to amend section 1 of chapter 417 of the Laws of 1862.'"

Senate bill No. 133, G. O. 560, Mr. Schroeder: "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city."

Senate bill No. 295, G. O. 923, Mr. Williams: "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

By unanimous consent,

Mr. Roberts offered for the consideration of the House a privileged resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, printed No. 180, entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the Municipal Court of Buffalo, and to amend the charter of said city," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 262, general orders No. 929, entitled "An act for the relief of Lawrence Collins," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 57, introductory No. 128, general orders No. 54, entitled "An act to extend the authority of the Supreme Court in proceedings by writ of mandamus to correct errors in the boards of county canvassers," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 768, general orders No. 941, entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 561, general orders No. 642, entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Phillips offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 41, general orders No. 36, entitled "An act to amend chapter 324 of the Laws of 1850, entitled 'An act for the preservation of the public health,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, That Senate bill No. 179, general orders No. 215, entitled "An act making it a felony to steal, destroy or conceal a will, codicil or other testamentary instrument," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, That Senate bill No. 257, general orders No. 310, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872 for draining swamps, marshes and other low lands," be referred to the sub-committee of the whole.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus, to provide for the election of officers for the same, and to declare the said village a separate road district,' and also to amend chapter 556 of the Laws of 1868, entitled 'An act to amend the charter of the village of Olean, and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**MAY 10.]**

**1327**

**{ AYES 80 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

Alvord	Cohen	Hurd	Sanders
Andrews	Cookinham	Ingersoll	Sheridan
Baker, B. F.	Cullinan	Kennedy	Sherman
Baker, C. S.	Curtis	Lefever	Shuit
Beach	Cushing	Liddle	Sipp
Beates	Deane	Low	Sisson
Benedict, E. D.	Dougherty	McAvoy	Skinner
Benedict, T. E.	Duell	McCabe	Slingerland
Bradley	Duguid	McCarthy	Steele
Brennan	Ellis	McDonald	Strait
Bridges	Evans	Mead	Tallmadge
Brodsky	Ferris	Miller	Terry
Bullock	Fish	Mitchell	Travis
Carpenter, I. S.	Fiske	Mooers	Tuthill, H. H.
Case	Gray	Newman	Tuttle, R. M.
Catlin	Griggs	Parker	Van Valkenburgh
Chamberlain	Grosse	Phillips	Waterbury
Chickering	Hagan	Potter	Wells, J. L.
Clark	Havens	Potts	Wiley
Clowes	Hayes	Roberts	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**{ AYES 81 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

Alvord	Cushing	Low	Sherman
Andrews	Deane	McAvoy	Shuit
Baker, B. F.	Dougherty	McCabe	Sipp
Baker, C. S.	Duell	McCarthy	Sisson
Beach	Duguid	McDonald	Skinner
Beates	Ellis	Mead	Slingerland
Benedict, E. D.	Evans	Miller	Steele
Bradley	Ferris	Mitchell	Strait
Brennan	Fish	Mooers	Tallmadge
Bridges	Fiske	Newman	Terry
Brodsky	Gray	Parker	Travis
Bullock	Griggs	Peck	Tuthill, H. H.
Carpenter, I. S.	Grosse	Phillips	Tuttle, R. M.
Chamberlain	Hagan	Potter	Van Valkenburgh
Chickering	Hayes	Potts	Varnum
Childs	Hurd	Rhodes	Waterbury
Clark	Ingersoll	Roberts	Wells, J. L.
Clowes	Lefever	Sanders	Wiley
Cookinham	Liddle	Shanley	Wren
Cullinan	Lindsay	Sheridan	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Holstein Breeders Association of America," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Shuit
Andrews	Curtis	McAvoy	Sipp
Baker, B. F.	Cushing	McCabe	Sisson
Baker, C. S.	Deane	McCarthy	Skinner
Beach	Duell	McDonald	Slingerland
Beates	Duguid	Mead	Steele
Benedict, E. D.	Ellis	Miller	Strait
Benedict, T. E.	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terry
Brennan	Fish	Newman	Thilemann
Bridges	Fiske	Parker	Travis
Brodsky	Gray	Peck	Tuthill, H. H.
Bullock	Griggs	Phillips	Tuttle, R. M.
Carpenter, I. S.	Grosse	Potter	Van Valkenburgh
Case	Hagan	Potts	Varnum
Chamberlain	Hayes	Rhodes	Warner
Chickering	Hurd	Roberts	Waterbury
Childs	Ingersoll	Sanders	Wells, J. L.
Clark	Kennedy	Seeley	Wiley
Clowes	Lefever	Shanley	Wren
Cohen	Liddle	Sheridan	Youngs
Cookinham	Lindsay	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Private Secretary of the Governor appeared before the bar of the House, and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 10, 1880. }

*To the Assembly:*

Assembly bill No. 237, entitled "An act for the preservation of fish in the waters of Loon lake, in the county of Steuben," is herewith returned without approval.

The object sought to be attained by this bill seems to be abundantly provided for by chapter 534 of the Laws of 1879. If any remedy is necessary beyond what that statute furnishes, the board of supervisors of Steuben county is authorized by chapter 482 of the Laws of 1875 to provide it.

The Constitution provides against certain specific local legislation, and then declares that "the Legislature shall pass general laws providing for the cases enumerated in this section, and for all other cases which in its judgment may be provided for by general laws." The Legislature has, in obedience to this injunction, enacted very complete and effective laws for the preservation of fish and game, and

it would seem to be antagonistic to the spirit of the Constitution to fill up the statute books with local laws on the same subject.

ALONZO B. CORNELL.

On motion of Mr. Alvord, said bill with message was laid on the table.

The bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Shuit
Andrews	Cushing	McAvoy	Sipp
Baker, B. F.	Deane	McCabe	Sisson
Baker, C. S.	Dougherty	McCarthy	Skinner
Beach	Duell	McDonald	Slingerland
Beates	Duguid	Mead	Steele
Benedict, E. D.	Ellis	Miller	Strait
Benedict, T. E.	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terry
Brennan	Fish	Newman	Thilemann
Bridges	Fiske	Parker	Travis
Brodsky	Gorsline	Phillips	Treanor
Bullock	Gray	Potter	Tuthill, H. H.
Carpenter, I. S.	Griggs	Potts	Tuttle, R. M.
Case	Grosse	Rhodes	Van Valkenburgh
Chickering	Havens	Roberts	Varnum
Childs	Hayes	Sanders	Waterbury
Clark	Ingersoll	Seeley	Wells, J. L.
Clowes	Kennedy	Shanley	Wiley
Cohen	Lefever	Sheridan	Wren
Cookinham	Liddle	Sherman	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereto,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 196, entitled "An act establishing the salary of the Deputy Comptroller," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

Also,

A resolution requesting the return of Senate bill No. 96, entitled "An act to authorize certain commissioners named in chapter 272 of the Laws of 1879, for the erection of an armory in the city of New York to take lands therefor by lease for ninety-nine years," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to amend chapter 818 of the Laws of 1866, entitled "An act to create a separate road district in the town of Middletown, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of the Five Points House of Industry in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes said bill was substituted for Assembly bill No. 493, now on general orders.

"An act to change the name of the Elmira Female College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 291 of the Laws of 1867, entitled "An act to incorporate the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to prohibit the construction of buildings of wood or other combustible materials in a certain portion of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize Long Island City to issue bonds or certificates of indebtedness to an amount not exceeding fifty per cent of sums due for arrears of taxes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.

Cookinham  
Cullinan  
Curtis

Lindsay  
Low  
McAvoy

Sherman  
Shuit  
Sipp

Baker, C. S.	Cushing	McCabe	Skinner
Beach	Deane	McCarthy	Slingerland
Beates	Dougherty	Mead	Steele
Benedict, E. D.	Duell	Miller	Strait
Benedict, T. E.	Duguid	Mitchell,	Tallmadge
Bradley	Ellis	Mooers	Terry
Brennan	Evans	Morgan	Thilemann
Bridges	Fish	Newman	Travis
Brodsky	Fiske	Parker	Treanor
Bullock	Gorsline	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gray	Pitcher	Tuttle, R. M.
Case	Griggs	Potter	Van Valkenburgh
Oatlin	Havens	Potts	Varnum
Chamberlain	Hayes	Rhodes	Waterbury
Chickering	Hurd	Roberts	Wells, J. L.
Childs	Ingersoll	Seeley	Wiley
Clark	Kennedy	Shanley	Wren
Clowes	Lefever	Sheridan	Youngs
Cohen	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Morgan offered for the consideration of the House a privileged resolution in the words following :

*Resolved* (if the Senate concur), That the Governor be requested to return, for the purpose of amendment, Assembly bill No. 431, general orders No. 474, entitled "An act authorizing the village of Wells-ville to apportion certain parts of the highway for sidewalk purposes."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sherman
Andrews	Curtis	Low	Shuit
Baker, B. F.	Cushing	McAvoy	Sipp
Baker, C. S.	Deane	McCabe	Sisson
Beach	Dougherty	McCarthy	Skinner
Beates	Duell	Mead	Slingerland
Benedict, E. D.	Duguid	Miller	Steele
Benedict, T. E.	Ellis	Mitchell	Strait
Bradley	Evans	Mooers	Tallmadge
Brennan	Fish	Morgan	Terry
Bridges	Fiske	Newman	Thilemann
Brodsky	Gorsline	Parker	Travis
Bullock	Gray	Phillips	Treanor
Carpenter, I. S.	Griggs	Pitcher	Tuthill, H. H.
Case	Havens	Potter	Tuttle, R. M.



Catlin	Hayes	Potts	Van Valkenburgh
Chamberlain	Hurd	Rhodes	Varnum
Chickering	Husted	Roberts	Waterbury
Clark	Ingersoll	Sanders	Wells, J. L.
Clowes	Kennedy	Seeley	Wiley
Cohen	Lefever	Shanley	Wren
Cookinham	Liddle	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sherman
Andrews	Curtis	Lindsay	Shuit
Baker, B. F.	Deane	Low	Sipp
Baker, C. S.	Dougherty	McAvoy	Sisson
Beach	Duell	McCabe	Skinner
Beates	Duguid	Mead	Slingerland
Benedict, E. D.	Ellis	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Strait
Bradley	Fish	Mooers	Tallmadge
Brennan	Fiske	Morgan	Terry
Bridges	Gorsline	Newman	Thilemann
Brodsky	Gray	Parker	Travis
Bullock	Griggs	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gwinup	Pitcher	Tuttle, R. M.
Case	Havens	Potter	Van Valkenburgh
Chamberlain	Hayes	Potts	Varnum
Chickering	Hurd	Roberts	Waterbury
Clark	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Wiley
Cohen	Kennedy	Shanley	Wren
Cookinham	Lefever	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster falling due in said years,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Dougherty	McCabe	Sisson
Andrews	Duell	McDonald	Skinner

Baker, B. F.	Duguid	Mead	Slingerland
Baker, C. S.	Ellis	Miller	Steele
Beach	Evans	Mitchell	Strait
Beates	Fish	Mooers	Tallmadge
Benedict, E. D.	Fiske	Newman	Terry
Benedict, T. E.	Gorsline	Parker	Thilemann
Bradley	Gray	Phillips	Travis
Brennan	Griggs	Pitcher.	Treanor
Bridges	Gwinup	Potter	Tuthill, H. H.
Brodsky	Hagan	Potts	Tuttle, R. M.
Bullock	Havens	Rhodes	Van Valkenburgh
Carpenter, I. S.	Hayes	Roberts	Varnum
Case	Hurd	Sanders	Walsh
Catlin	Husted	Seeley	Waterbury
Chickering	Ingersoll	Shanley	Wells, D. A.
Childs	Lefever	Sheridan	Wells, J. L.
Clark	Liddle	Sherman	Wiley
Clowes	Lindsay	Shuit	Wren
Curtis	Low	Sipp	Youngs
Deane	McAvoy		

Those who voted in the negative, were

Chamberlain	Cullinan	Kennedy	Morgan
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act for the better preservation of trees and shrubbery on the islands of Lake George," being announced for a third reading,

On motion of Mr. Terry, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, after the words "Lake George" insert the following: "or hereafter shall erect any building." Same section, line 4, after the word "Commissioners" insert "of the Land Office." Same section, line 7, after the word "injured" insert the following: "and shall also pay a fine of not less than five dollars for each day that said building is allowed to remain after such conviction. In case where conviction is had for erecting any building, the courts shall direct the removal of said building within five days, and if the same is not removed, the person so convicted shall pay a fine of five dollars for each day said building remains after conviction."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Shuit
Andrews	Deane	Low	Sipp
Baker, B. F.	Dougherty	McAvoy	Sisson
Baker, C. S.	Duell	McCabe	Skinner
Beach	Duguid	Mead	Slingerland
Beates	Ellis	Miller	Steele
Benedict, E. D.	Evans	Mitchell	Strait
Benedict, T. E.	Fish	Mooers	Tallmadge

Bradley	Fiske	Morgan	Terry
Brennan	Gorsline	Newman	Thilemann
Bridges	Gray	Parker	Travis
Brodsky	Griggs	Phillips	Treanor
Carpenter, I. S.	Gwinup	Pitcher	Tully
Case	Hagan	Potter	Tuttle, R. M.
Catlin	Havens	Potts	Van Valkenburgh
Chamberlain	Hayes	Rhodes	Varnum
Chickering	Hurd	Roberts	Waterbury
Clark	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Wiley
Cohen	Kennedy	Shanley	Wren
Cookinham	Lefever	Sheridan	Youngs
Cullinan	Liddle	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lindsay	Sherman
Andrews	Deane	Low	Shuit
Baker, B. F.	Dougherty	McAvoy	Sipp
Baker, C. S.	Duell	McCabe	Sisson
Beach	Duguid	McCarthy	Skinner
Beates	Ellis	Mead	Slingerland
Benedict, E. D.	Evans	Miller	Steele
Benedict, T. E.	Fish	Mitchell	Strait
Bradley	Fiske	Mooers	Tallmadge
Brennan	Gorsline	Morgan	Terry
Bridges	Gray	Newman	Thilemann
Brodsky	Griggs	Parker	Travis
Bullock	Gwinup	Phillips	Treanor
Carpenter, I. S.	Hagan	Pitcher	Tuttle, R. M.
Case	Havens	Potter	Van Valkenburgh
Catlin	Hayes	Potts	Varnum
Chickering	Hurd	Rhodes	Waterbury
Clark	Husted	Roberts	Wells, J. L.
Clowes	Ingersoll	Seeley	Wiley
Cohen	Kennedy	Shanley	Wren
Cullinan	Lefever	Sheridan	Youngs
Curtis	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Andrews offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill, not printed, introductory No. 298, Assembly, entitled "An act to amend chapter 291 of the Laws of 1867,

entitled 'An act to incorporate the city of Binghamton,' " be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 327, general orders No. 353, entitled "An act to amend chapter 101, Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8, part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 779, general orders No. 959, entitled "An act to amend section 4, chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies, passed April 5, 1813, and of the several acts amendatory thereof,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 308, entitled "An act in relation to arrears of personal taxes in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 226, general orders No. 996, entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 430 of the Code of Procedure," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, strike out the words "the last paragraphs of" and "four hundred and thirty," in lines 1 and 2 ; and after "section," line 1, insert "seventeen hundred and eighty-six ;" after the word "of," line

2, insert "civil;" strike out all of section, after the word "follows," in line 2, and insert as follows:

§ 1786. An action, specified in the last section, may be maintained by the Attorney-General in the name and in behalf of the People. And whenever a creditor, or stockholder of any corporation, submits to the Attorney-General a written statement of facts, verified by oath, showing grounds for an action under the provisions of the last section, and the Attorney-General omits, for sixty days after this submission, to commence an action specified in the last section, then, and not otherwise, such creditor, or stockholder, may apply to the proper court for leave to commence such an action, and on obtaining leave may maintain the same accordingly.

§ 2. Section 2011 of the Code of the Civil Procedure is hereby amended so as to read as follows:

§ 2011. A writ shall not be issued, by virtue of either of the last three sections, to bring up a prisoner sentenced to death. Nor shall it be issued to bring up a prisoner confined under any other sentence for a felony, except where the application is made in behalf of the people to bring him up as a witness on the trial of an indictment, and then only by and in the discretion of a justice of the Supreme Court or a judge of a superior city court, upon such notice to the district attorney of the county wherein the prisoner was convicted, and upon such terms and conditions and under such regulations as the judge prescribes.

§ 3. This act shall take effect on the second day of September next.

Amend the title so as to read as follows: "An act to amend the Code of Civil Procedure."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Cushing	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Baker, C. S.	Deane	McAvoy	Sisson
Beach	Duell	McCarthy	Skinner
Beates	Duguid	McDonald	Slingerland
Benedict, E. D.	Ellis	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Strait
Bradley	Fish	Mooers	Tallmadge
Brennan	Fiske	Morgan	Terry
Bridges	Gorsline	Newman	Thilemann
Brodsky	Gray	Parker	Travis
Bullock	Griggs	Phillips	Treanor
Carpenter, I. S.	Gwinup	Pitcher	Tuthill, H. H.
Case	Hagan	Potter	Tuttle, R. M.
Catlin	Havens	Potts	Van Valkenburgh
Chamberlain	Hayes	Rhodes	Varuum
Chickering	Hurd	Roberts	Waterbury
Clark	Husted	Sanders	Wells, J. L.
Clowes	Ingersoll	Seeley	Wren
Cohen	Kennedy	Shanley	Youngs
Cullinan	Lefever	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Senate bill entitled "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Clowes	Havens	Phillips
Andrews	Cohen	Hayes	Potts
Baker, B. F.	Cookinham	Hurd	Roberts
Baker, C. S.	Cullinan	Husted	Sanders
Beach	Curtis	Ingersoll	Seeley
Beates	Cushing	Kennedy	Sheridan
Benedict, E. D.	Davis	Lefever	Sherman
Bennett	Deane	Liddle	Shuit
Bradley	Duell	Low	Sisson
Brennan	Duguid	McAvoy	Skinner
Bridges	Ellis	McCabe	Slingerland
Brodsky	Evans	McCarthy	Steele
Bullock	Fish	McDonald	Tallmadge
Carpenter, I. S.	Fiske	Miller	Terry
Case	Fitzgerald	Mitchell	Tuttle, R. M.
Catlin	Gorsline	Mooers	Van Valkenburgh
Chamberlain	Gray	Morgan	Waterbury
Chase	Griggs	Nowlan	Wells, J. L.
Chickering	Grosse	O'Brien	Wren
Clark	Gwinup	Parker	Youngs

Those who voted in the negative, were

Pitcher	Rhodes	Travis
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sipp
Andrews	Curtis	Liddle	Sisson
Baker, B. F.	Cushing	Low	Skinner
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	McCarthy	Strait
Beates	Duell	McDonald	Tallmadge
Benedict, E. D.	Duguid	Miller	Terry

Benedict, T. E.	Evans	Mooers	Tozier
Bradley	Ferris	Morgan	Travis
Brennan	Fish	O'Brien	Treanor
Bridges	Fiske	Parker	Tuthill, H. H.
Brodsky	Gibbs	Phillips	Tuttle, R. M.
Bullock	Gorsline	Potter	Van Valkenburgh
Carpenter, I. S.	Gray	Potts	Varnum
Catlin	Griggs	Rhodes	Walsh
Chamberlain	Grosse	Sanders	Waterbury
Chase	Hayes	Seeley	Wells, J. L.
Chickering	Hurd	Shanley	Wiley
Clark	Husted	Sherman	Wren
Clowes	Ingersoll	Shuit	Youngs
Cookinham	Kennedy		

Those who voted in the negative, were  
Lindsay

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Low	Sherman
Andrews	Cullinan	McAvoy	Shuit
Baker, B. F.	Curtis	McCabe	Sipp
Baker, C. S.	Cushing	McCarthy	Sisson
Beach	Davis	McDonald	Skinner
Beates	Deane	Mead	Slingerland
Benedict, E. D.	Duguid	Miller	Steele
Benedict, T. E.	Ellis	Mitchell	Strait
Bradley	Evans	Mooers	Tallmadge
Brennan	Fish	Newman	Terry
Bridges	Gorsline	O'Brien	Travis
Brodsky	Gray	Parker	Treanor
Bullock	Griggs	Phillips	Tuthill, H. H.
Carpenter, I. S.	Grosse	Potter	Tuttle, R. M.
Case	Gwinup	Potts	Van Valkenburgh
Catlin	Hayes	Rhodes	Varnum
Chamberlain	Husted	Russell	Waterbury
Chase	Ingersoll	Sanders	Wells, J. L.
Chickering	Lefever	Seeley	Wiley
Clowes	Liddle	Shanley	Wren
Cohen	Lindsay	Sheridan	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York," was read a third time.



Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 18 }  
{ NOES 32 }

Those who voted in the affirmative, were

Alvord	Chamberlain	Parker	Tallmadge
Baker, B. F.	Hayes	Potter	Van Valkenburgh
Beach	McAvoy	Shanley	Walsh
Beates	McCarthy	Sheridan	Wells, J. L.
Catlin	McDonald		

Those who voted in the negative, were

Baker, C. S.	Cushing	Havens	Sanders
Benedict, E. D.	Davis	Husted	Seeley
Bradley	Deane	Low	Shuit
Brodsky	Duguid	Miller	Skinner
Bullock	Fiske	Mitchell	Tuthill, H. H.
Case	Griggs	Mooers	Tuttle, R. M.
Chickering	Grosse	Potts	Varnum
Cullinan	Gwinup	Roberts	Waterbury

Mr. Husted moved to reconsider the vote by which said bill was lost and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," with a message that they have concurred in the passage of the same with the following amendments:

Add at end of section 1 the following: "But the provisions of this section shall not apply to the towing of canal boats, and nothing herein contained shall repeal or in any manner alter or affect any existing laws or regulation in regard to pilotage in the port of New York."

Insert as section 4 the following:

"Section 4. Nothing in this act contained shall affect or apply to the waters of Lake Champlain."

Make section 4 section 5.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sipp
Andrews	Curtis	Lindsay	Sisson
Baker, B. F.	Cushing	Low	Skinner
Baker, C. S.	Davis	McCabe	Slingerland
Beach	Deane	McDonald	Steele
Beates	Duguid	Miller	Strait
Benedict, E. D.	Ellis	Mooers	Tallmadge
Bradley	Evans	Morgan	Terry
Brennan	Fish	Newman	Travis

Bridges]	Fiske	Parker	Tuthill, H. H.
Brotsky	Gorsline	Pitcher	Tuttle, R. M.
Bullock	Gray	Potter	Varnum
Carpenter, I. S.	Griggs	Potts	Walsh
Case	Gwinup	Rhodes	Waterbury
Catlin	Hagan	Sanders	Wells, J. L.
Chamberlain	Hayes	Seeley	Wiley
Childs	Husted	Shanley	Wren
Clark	Ingersoll	Sheridan	Youngs
Clowes	Kennedy	Shuit	Mr. Speaker
Cohen	Lefever		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to incorporate the Temple Beth Zion of Buffalo, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit'
Baker, B. F.	Cushing	Lindsay	Sipp
Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McCabe	Skinner.
Beates	Dougherty	McCarthy	Slingerland
Benedict, E. D.	Douglass	McDonald	Tallmadge
Benedict, T. E.	Duguid	Miller	Terry
Bradley	Evans	Mitchell	Travis
Brotsky	Ferris	Morgan	Tuthill, H. H.
Bullock	Fish	Parker	Tuttle, R. M.
Carpenter, I. S.	Fiske	Pitcher	Varnum
Case	Gorsline	Potter	Walsh
Catlin	Griggs	Rhodes	Waterbury
Chamberlain	Gwinup	Roberts	Wells, J. L.
Childs	Hayes	Sanders	Wiley
Clark	Husted	Seeley	Wren
Clowes	Ingersoll	Shanley	Youngs
Cohen	Kennedy	Sheridan	Mr. Speaker
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly resolution asking the return from the Governor of Assembly bill No. 193, general orders No. 210, entitled "An act to establish and maintain a police force in the city of Troy," for amendment, with a message informing that the Senate had concurred in the passage of the same.

*Ordered*, That the Clerk deliver said resolution to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal, and of the Glen's Falls feeder."

"An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties.'"

"An act in relation to Fourth avenue in the city of Brooklyn."

"An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children and respecting transcripts of the records," with a message that they have concurred in the amendments made therein in the Assembly.

*Ordered*, That the Clerk return said bills to the Senate.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at nine o'clock and forty-five minutes the House adjourned.

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## TUESDAY MORNING, MAY 11, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. W. Alderman.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. R. M. Tuttle offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 672, entitled "An act to amend chapter 426 of the Laws of 1847 for the incorporation of villages, so far as the same relates to the village of Corning, in the county of Steuben," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards."

"An act supplementary to chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

"An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westport, Essex county, New York, in real estate security."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins.'"

"An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary."

"An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased."

"An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

"An act in relation to assessments for taxes in Long Island City."

"An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan.'"

"An act authorizing the incorporation of Villa Park and suburban homestead associations."

"An act in relation to unpaid taxes and water assessments in Long Island City."

"An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure."

"An act to further amend chapter 459 of the Laws of 1862, entitled 'An act to prevent animals from running at large in the public highways, and the several acts amendatory thereof and supplemental thereto.'"

"An act to vest in the board of supervisors certain additional powers."

"An act for the better security of the public health and the prevention of nuisances in the county of New York."

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers.'"

"An act in relation to the highways of this State of certain width."

"An act for the relief of Peter Kehr, John A. Kellner and Louis Ott."

"An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

By unanimous consent,

Mr. Liddle offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 280, general orders No. 835, entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" be substituted for Assembly bill No. 625, general orders No. 718, on the same subject, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Also,

*Resolved*, That Senate bill No. 279, general orders No. 898, entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,''" and also section 2 of chapter 275 of the Laws of 1870, entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" and now on general orders, be substituted for Assembly bill No. 670, general orders No. 789, on the same subject, and that the same be ordered to a third reading."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

By unanimous consent,

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 145, general orders No. 174, entitled "An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 600, general orders No. 687, entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Alvord moved to discharge the committee of the whole from the further consideration of Assembly bill No. 306, entitled "An act supplementary to act chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker presented a communication from the mayor of the city of New York, accompanied by petition; which were read and referred to the committee on affairs of cities.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act to provide for the reporting of appointments to the benevolent institutions of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McAvoy	Shuit
Baker, C. S.	Deane	McCabe	Sipp
Beach	Douglass	McDonald	Sisson
Beates	Duguid	Mead	Skinner
Benedict, E. D.	Ellis	Miller	Slingerland

Benedict, T. E.	Evans	Mooers	Steele
Bradley	Ferris	Morgan	Strait
Brodsky	Fiske	Newman	Tallmadge
Carpenter, E. A.	Fitzgerald	Nowlan	Terry
Case	Gibbs	O'Brien	Treanor
Chamberlain	Gorsline	O'Connor	Tully
Chickering	Gray	Parker	Tuthill, H. H.
Clancy	Griggs	Phillips	Tuttle, R. M.
Clowes	Hoffman	Potts	Varnum
Comstock	Howland	Rhodes	Warner
Congdon	Hurd	Root	Waterbury
Crapser	Ingersoll	Russell	Wells, J. L.
Cullinan	Kennedy	Seeley	Wren
Curtis	Lefever	Shanley	Youngs
Cushing	Low	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill. and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sanders
Andrews	Curtis	Lefever	Seeley
Baker, C. S.	Cushing	Lindsay	Shanley
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Benedict, E. D.	Douglass	McCabe	Sisson
Benedict, T. E.	Duell	McDonald	Skinner
Bennett	Duguid	Mead	Steele
Bradley	Ellis	Miller	Strait
Bridges	Evans	Mooers	Tallmadge
Brodsky	Ferris	Morgan	Terry
Bullock	Fish	Newman	Titus
Carpenter, E. A.	Fiske	Nowlan	Travis
Carpenter, I. S.	Fitzgerald	O'Brien	Treanor
Case	Gibbs	O'Connor	Tully
Chamberlain	Gorsline	Parker	Tuthill, H. H.
Chase	Gray	Peck	Tuttle, R. M.
Chickering	Griggs	Phillips	Varnum
Clancy	Havens	Potts	Warner
Clowes	Hoffman	Rhodes	Waterbury
Cohen	Howland	Roberts	Wells, J. L.
Comstock	Hurd	Root	Wren
Cookinham	Ingersoll	Russell	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shanley
Baker, C. S.	Cushing	Lindsay	Shuit
Beach	Davis	Low	Sipp
Beates	Deane	McAvoy	Sisson
Benedict, E. D.	Dougherty	Mead	Skinner
Benedict, T. E.	Douglass	Miller	Slingerland
Bradley	Duell	Mooers	Steele
Bridges	Duguid	Morgan	Strait
Brodsky	Ellis	Newman	Tallmadge
Carpenter, I. S.	Evans	Nowlan	Terry
Case	Ferris	O'Brien	Titus
Chamberlain	Fish	Parker	Travis
Chase	Gibbs	Peck	Treanor
Chickering	Gorsline	Phillips	Tuthill, H. H.
Childs	Gray	Potts	Tuttle, R. M.
Clark	Griggs	Rhodes	Varnum
Clowes	Havens	Roberts	Warner
Comstock	Hoffman	Root	Waterbury
Cookinham	Howland	Russell	Wells, J. L.
Crapser	Ingersoll	Sanders	Wren
Cullinan	Kennedy	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Shanley
Baker, C. S.	Cullinan	Kennedy	Shuit
Beach	Curtis	Lefever	Sipp
Beates	Cushing	Liddle	Sisson
Benedict, E. D.	Davis	Lindsay	Skinner
Benedict, T. E.	Deane	Low	Slingerland
Bennett	Dougherty	McCabe	Steele
Bradley	Douglass	Mead	Strait
Bridges	Duell	Miller	Tallmadge
Brodsky	Duguid	Mooers	Terry
Carpenter, E. A.	Ellis	Morgan	Titus
Carpenter, I. S.	Evans	Newman	Travis
Case	Ferris	Nowlan	Treanor
Catlin	Fish	O'Brien	Tully
Chamberlain	Fitzgerald	Parker	Tuthill, H. H.
Chase	Gibbs	Peck	Tuttle, R. M.
Chickering	Gorsline	Potts	Varnum
Childs	Gray	Rhodes	Walsh



Clancy  
Clark  
Clowes  
Comstock  
Cookinham

Griggs  
Havens  
Hoffman  
Howland  
Hurd

Roberts  
Root  
Russell  
Sanders  
Seeley

Waterbury  
Wells, J. L.  
Wren  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1181), entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposition of the ashes, garbage and street sweepings in said city," reported the same for the consideration of the House, with amendments.

On motion of Mr. Varnum, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, when printed, with power to report said bill complete.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1182), entitled "An act to facilitate the speedy and economical disposition of refuse in the city of New York," reported the same for the consideration of the House, with amendments.

On motion of Mr. Varnum, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, when printed, with power to report said bill complete.

Mr. Varnum, from the committee on affairs of cities, presented a supplemental report from said committee upon street cleaning in the city of New York; which was laid on the table and ordered printed.

(*See Doc. No. 112.*)

The bill entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Seeley
Andrews	Curtis	Kennedy	Sherman
Baker, B. F.	Cushing	Lefever	Shuit
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Sisson
Beates	Dougherty	Low	Skinner
Benedict, E. D.	Douglass	McAvoy	Slingerland
Bradley	Duell	Mead	Steele
Brennan	Duguid	Miller	Tallmadge
Bridges	Ellis	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Carpenter, E. A.	Ferris	Morgan	Travis
Carpenter, I. S.	Fish	Newman	Treanor
Case	Fitzgerald	Nowlan	Tuthill, H. H.
Catlin	Gibbs	O'Brien	Tuttle, R. M.

Chamberlain	Gorsline	Parker	Van Valkenburgh
Chase	Gray	Peck	Varnum
Chickering	Griggs	Phillips	Warner
Childs	Havens	Potts	Waterbury
Clark	Hayes	Rhodes	Wells, D. A.
Clowes	Hoffman	Roberts	Wells, J. L.
Comstock	Howland	Root	Wren
Congdon	Hurd	Russell	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Bachelor Club of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 11 }

Those who voted in the affirmative, were

Andrews	Comstock	Lefever	Sisson
Baker, B. F.	Congdon	Liddle	Skinner
Baker, C. S.	Curtis	Low	Slingerland
Beach	Davis	McAvoy	Steele
Beates	Duguid	McCabe	Strait
Benedict, E. D.	Evans	Mead	Tallmadge
Benedict, T. E.	Fish	Miller	Terry
Brennan	Fitzgerald	Mooers	Titus
Bridges	Gibbs	Morgan	Travis
Brodsky	Gorsline	Newman	Treanor
Bullock	Gray	O'Brien	Tully
Carpenter, I. S.	Griggs	O'Connor	Tuthill, H. H.
Case	Grosse	Parker	Varnum
Catlin	Hayes	Rhodes	Warner
Chamberlain	Hoffman	Roberts	Waterbury
Chase	Hurd	Russell	Wells, D. A.
Chickering	Husted	Shanley	Wells, J. L.
Clark	Ingersoll	Shuit	Wren
Clowes	Kennedy	Sipp	Youngs

Those who voted in the negative, were

Alvord	Crapser	Nowlan	Root
Bradley	Cushing	Peck	Seeley
Childs	Howland	Potts	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Isaac Piser," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Liddle	Shuit

Baker, B. F.	Douglass	Lindsay	Sipp
Baker, C. S.	Duell	Low	Sisson
Beates	Duguid	McAvoy	Skinner
Benedict, T. E.	Ellis	McCabe	Slingerland
Bridges	Evans	Mead	Steele
Brotsky	Ferris	Miller	Tallmadge
Bullock	Fish	Mooers	Terry
Carpenter, I. S.	Gibbs	Morgan	Titus
Case	Gorsline	Newman	Travis
Catlin	Gray	Nowlan	Treanor
Chamberlain	Griggs	O'Brien	Tully
Chase	Hagan	O'Connor	Tuthill, H. H.
Chickering	Havens	Parker	Van Valkenburgh
Childs	Hayes	Potts	Varnum
Clark	Hoffman	Rhodes	Warner
Clowes	Howland	Roberts	Waterbury
Comstock	Hurd	Root	Wells, D. A.
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Ingersoll	Seeley	Wren
Crapser	Kennedy	Shanley	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The conference committee of the Senate and Assembly, in the matter of Senate bill No. 328, entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States," respectfully report that they agreed upon the following amendments:

Add at the end of the first section of engrossed bill the following: "providing that before any such company shall be admitted to transact business in this State, it shall execute under its corporate seal and the hand of its president by authority of its board of directors, and file with said Superintendent an agreement that it will not apply to remove into the United States court any action brought against it in any court of this State; and that if it shall make any such application, its authority to transact the business of insurance in this State shall cease and determine; and whenever it shall appear to the Superintendent of the Insurance Department that any such company has made such application to remove such an action, contrary to such agreement, he shall revoke the certificate of such company to do business in this State, and notify the agents thereof, and the agents of such company after such notice shall discontinue the issuing of any new policy."

Restore section 5, engrossed bill, as section 4; change section 4 to section 5, and amend title by adding after the word "fire" the words "or marine," and striking out all after the words "United States," so that it shall read

"An act further to regulate the admission to this State of fire and marine insurance companies from other countries than the United States."

F. A. SCHROEDER,  
J. SEEBACHER,  
WM. N. ROCKWELL,  
*Senate Committee.*

D. W. TALLMADGE,  
WILLIAM H. CATLIN,  
CHARLES H. RUSSELL,  
W. N. STEELE,  
JOHN SANDERS,  
*Assembly Committee.*

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Cushing	Kennedy	Shanley
Baker, B. F.	Davis	Lefever	Sherman
Baker, C. S.	Deane	Liddle	Shuit
Beach	Dougherty	Lindsay	Sipp
Beates	Douglass	Low	Sisson
Benedict, T. E.	Duell	McAvoy	Skinner
Bridges	Duguid	McTernan	Slingerland
Brodsky	Ellis	Mead	Steele
Bullock	Evans	Mooers	Tallmadge
Case	Fish	Morgan	Terry
Catlin	Fiske	Newman	Titus
Chamberlain	Fitzgerald	Nowlan	Travis
Chase	Gibbs	O'Brien	Treanor
Chickering	Gorsline	Parker	Tully
Childs	Gray	Peck	Tuthill, H. H.
Clark	Griggs	Pitcher	Van Valkenburgh
Clowes	Havens	Potts	Varnum
Comstock	Hayes	Rhodes	Warner
Congdon	Hoffman	Roberts	Waterbury
Cookinham	Howland	Root	Wells, D. A.
Crapser	Hurd	Sanders	Wells, J. L.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the amendments reported by the conference committee.

The bill entitled "An act relating to fees, percentages and allowances of public officers a burden upon and a charge against the various cities of the State," having been announced for a third reading,

Mr. Varnum moved to recommit said bill to the committee on affairs of cities with instructions to amend by changing section 7 to read as follows:

§ 7. "This act shall take effect on the thirty-first day of July, 1880."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, reported back said bill, amended pursuant to the instruction of the House.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 24 }

Those who voted in the affirmative, were

Andrews	Curtis	Lefever	Seeley
Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Douglass	Low	Sisson
Beates	Duell	McCabe	Skinner

Bradley	Duguid	Mead	Slingerland
Brennan	Evans	Miller	Steele
Bridges	Ferris	Mitchell	Tallmadge
Bullock	Fish	Mooers	Terry
Carpenter, I. S.	Fiske	Morgan	Titus
Case	Fitzgerald	Nowlan	Travis
Chamberlain	Gorsline	Peck	Van Valkenburgh
Chase	Gray	Pitcher	Varnum
Chickering	Griggs	Potter	Warner
Childs	Grosse	Potts	Waterbury
Clark	Hurd	Rhodes	Wren
Comstock	Husted	Root	Youngs
Cookinham	Ingersoll	Russell	Mr. Speaker
Crapser	Kennedy	Sanders	

Those who voted in the negative, were

Benedict, T. E.	Dougherty	McAvoy	Shanley
Bennett	Ellis	Newman	Sherman
Clancy	Gibbs	O'Brien	Treanor
Clowes	Hagan	O'Connor	Tully
Cohen	Havens	Parker	Walsh
Cushing	Hoffman	Rhodes	Wells, J. L.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. D. A. Wells offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 506, entitled "An act to legalize and confirm the official acts of William L. Robb, a justice of the peace of the town of Perth, in the county of Fulton, N. Y.," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," with a message that they had passed the same, with the following amendments:

Page 3, engrossed bill, line 18, strike out "three" and insert "six;" line 19, after "dollars" insert to wit: "three hundred dollars for carrying Assembly documents, and three hundred dollars for carrying Senate documents."

Same page, after line 26, insert the following:

For George A. Martinus, for services as messenger to the committees on judiciary and miscellaneous corporations of the Senate, for the session of 1880, at \$4 per day, the sum of \$550, or so much thereof as may be necessary.

Same page, line 31, strike out "fifty" and insert "one hundred."

Page 4, after line 34, insert the following:

For Henry A. Glidden, late clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly from 1870 to 1878, and distributing the same pursuant to a resolution of the Senate adopted May 24, 1877, the sum of \$1,200; and for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against DeWitt C. Ellis, and

distributing the same, pursuant to a resolution of the Senate adopted August 17, 1877, the sum of \$500.

For John W. Vrooman, for arranging the testimony, proceedings and journal of the Senate in the trial of the charges against John F. Smyth, late Superintendent of the Insurance Department, and for preparing an index to the same, and for distributing the same pursuant to resolution of the Senate adopted March 12, 1878, the sum of \$500.

For the Clerk of the Assembly to pay for additional clerical services and for engrossing, \$1,150, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

For the Clerk of the Senate to pay for additional clerical services and for engrossing, \$500, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

Page 5, after line 23, insert the following :

For Hon. Robert H. Strahan, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the eighth senatorial district of this State, and for other expenses incurred by him therein, the sum of \$1,000.

For Hon. James Stevens, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the twenty-second senatorial district of this State, and for other expenses incurred by him therein, the sum of \$750.

For deficiency in appropriations for compensation of criers and attendants of the Court of Appeals to the close of the current fiscal year, \$2,000, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing calendar and other necessary expenses of the office of the Clerk of the Court of Appeals, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for repairs, cleaning, labor, gas and other necessary expenses of the State Hall, \$500.

For deficiency in appropriations for maintenance of convicts sentenced to penitentiaries, in pursuance of chapter 158 of the Laws of 1856, chapter 585 of the Laws of 1865, chapter 667 of the Laws of 1866, chapter 574 of the Laws of 1869, chapter 247 of the Laws of 1874, and chapter 571 of the Laws of 1875, \$16,000, or so much thereof as may be necessary.

For the actual and necessary traveling and incidental expenses of the agent of the Comptroller to examine the accounts of auctioneers, \$300, or so much thereof as may be necessary.

For payment to the widow and heirs at law of the late John G. Wasson, of interest at 6 per centum to April 1, 1881, on \$10,000 upon a certificate issued under chapter 830 of the Laws of 1868, \$600.

For the electors of President and Vice-President, and for special messenger, for compensation and expenses, \$4,000, or so much thereof as may be necessary.

For the Comptroller, to pay the expenses of serving notices on occupants of lands to which the State acquired title from the tax sale of 1877, of procuring and recording deeds for and perfecting title to said lands, and of ascertaining the value of lands to which the State has obtained title from tax sales, the sum of \$4,000, or so much thereof as may be necessary.

For the compensation and expenses of the fifth justice of the Su-



preme Court, in the second judicial district, from date of qualification to September 30, 1880, \$4,150, or so much thereof as may be necessary.

For deficiency in appropriations for the stenographers in the second judicial district, appointed under chapter 765 of the Laws of 1868, \$375, said amount to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said act, and in pursuance thereof.

To enable the Governor to carry out the provisions of chapter 134 of the Laws of 1878, and 306 of the Laws of 1879, the sum of \$25,000, or so much thereof as may be necessary, payable on vouchers to be approved by the Governor.

For deficiency in appropriations for the salary of the Superintendent of the Insurance Department for the current fiscal year, \$2,000, to be refunded to the treasury of the State by the several insurance companies, associations, persons and agents to whom chapter 366 of the Laws of 1859 applies.

For the Comptroller, for the payment of certain expenses incurred in the investigation against Bernard Reilly, late sheriff of the city and county of New York, and incurred under direction of the Governor, for services of stenographer, printing testimony and proceedings, and for witnesses' fees and disbursements, \$1,500, or so much thereof as may be necessary; and for fees of referees therein, \$1,750; and for payment of certain expenses for board and rooms for Senate committee appointed May 22, 1875, "to investigate the departments and offices of the government of the city and county of New York," \$769.58.

The Comptroller is hereby authorized and empowered to examine or cause to be examined the financial affairs and business administration of the Onondaga salt springs, under the management of the late superintendent, and for that purpose the Comptroller or the officer designated by him to conduct such examination shall have power to administer oaths and to subpoena witnesses, and require the production of books and papers, and the sum of \$750, or so much thereof as may be necessary, is hereby appropriated to carry this provision into effect.

For Blatchford, Seward, Griswold and Da Costa, as attorneys for James Eckerson, in the action hereinafter named, the sum of \$836.36, being the amount in full payment of the principal of a judgment for costs against the People of this State, in favor of said James Eckerson, in an action commenced in the name of the People by Attorney-General Barlow against Mathew D. Bogart, James Eckerson and others, which judgment was docketed in the Albany county clerk's office on the 31st day of December, 1873; and the further sum of \$360.03 for interest on said judgment. The Comptroller shall pay the above sums to the above-named attorneys; upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

For Hiscock, Gifford and Doheny, as attorneys for Henry D. Denison and others, in the action hereinafter named, the sum of \$101,889.59, being the amount in full payment of the principal of a judgment for costs and damages against the People of this State, in favor of Henry D. Denison, James J. Belden, A. Cadwell Belden and Thomas Gale, in an action commenced in the name of the People by



the late Attorney-General Pratt against the said Denison, Belden, Belden and Gale, which judgment was docketed in the Albany county clerk's office on the 28th day of April, 1880; the Comptroller shall pay the above sum to the above-named attorneys upon their producing to, and filing with the Comptroller, a satisfaction of said judgment, certified to be in due form by the Attorney-General.

In case the Attorney-General has already taken, or shall, within 60 days after the passage of this act, take legal proceedings to set aside or modify the above-named judgment, no part of the sum above appropriated shall be paid except in accordance with the final decree, order or judgment which may be made by the court upon such proceedings.

For the Attorney-General, to pay the fees of witnesses subpoenaed to attend before the State Board of Audit and the expense of procuring service of subpoenas upon them, \$500, or so much thereof as may be necessary.

For the Attorney-General, to pay for law books necessary to fill up certain uncompleted sets of State and United States law reports, in the library of the Attorney-General, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing and other necessary expenses of the Attorney-General's office, \$500.

Page 6, strike out from line 21 to line 31, both inclusive.

Same page, after line 31, insert the following:

For the Attorney-General to pay counsel fees and necessary expenses incurred in the prosecution of indictments at the Rockland county oyer and terminer against the president and secretary of the Rockland Savings Bank for perjury, embezzlement and larceny, the sum of \$1,400, or so much thereof as may be necessary; and the board of supervisors of the said county, at its next annual session, is hereby authorized and required to raise by tax the amount hereby appropriated, and to pay the same into the treasury of the State; and to pay counsel and attorneys' fees incurred in the prosecution of William E. Gray, indicted, tried and convicted, in 1879, at the New York county oyer and terminer for the forgery of State bounty bonds, the sum of \$1,000.

For Frank S. Smith, for services as counsel to the committee appointed by the Assembly of 1880, to investigate the matters attending the lease of the Dannemora railroad, \$250.

Same page, after the word "Tioga," in line 33, insert "the towns of Bombay and Bangor in the county of Franklin, and the town of Wolcott in the county of Wayne."

Page 7, strike out from line 2 to line 10, both inclusive.

Same page, line 19, after the word "stenographer" insert the following: "and for the services of such commissioners at the rate of \$10 each per day for each day of actual service."

Same page, line 20, after the word "thousand" insert "five hundred."

Same page, line 28, strike out "one" and insert "two."

Same page, lines 28 and 29, strike out "fourteen" and insert "nineteen."

Same page, line 29, strike out "sixty-two" and insert "fifteen."

Page 8, strike out from line 22 to line 27, both inclusive.

Page 9, after line 22, insert the following:

For Ann Higgins, mother of William Higgins, as a gratuity, in full for all claims for damages sustained by her in the loss by death of her said son, who was her sole support and who died on the 18th day of July, 1879, from injuries received by him while employed on the new Capitol, \$1,000.

For the relief of Thomas J. Lawrence, corporal company F, twenty-second regiment, National Guards, who was permanently disabled for life while on duty as required by law in rifle practice at Creedmoor, \$1,000.

For James F. Johnson, as a gratuity, in full for all claims for damages for injuries received by him from the falling of a block of granite upon him while in the employ of the State, on the 4th day of September, 1875, and which necessitated the amputation of a leg, \$1,000.

For Chapman S. Strong, as a gratuity, in full for all claims for damages for injuries received by him as a keeper in Auburn State prison, from the criminal assault of convicts, in November, 1873, and while engaged in the discharge of his duties as such keeper in quelling an outbreak in said prison, \$1,000.

For Lawrence Hagar, father of Charles Hagar, as a gratuity, in full for all claims for damages sustained by him in the loss by death of his said son, who was his sole support, and was killed by falling from a scaffold in March, 1880, while at work on the new Capitol, \$500.

Same page, after line 33, insert the following:

For the payment of a canal certificate given by a late Canal Commissioner to Henry D. Denison, December 14, 1876, addressed to the Comptroller, for removing obstructions from the outlet of Cayuga lake and the channel of Seneca river, between Cross lake and Montezuma, \$542.48, and for interest thereon the sum of \$108.50.

Page 10, line 7, strike out "eight" and insert "four."

Same page, after line 30, insert the following:

The office of State Entomologist is hereby re-established under the direction of the Regents of the University as trustees of the State Museum of Natural History, who are hereby authorized to appoint a suitable person to such position, and the sum of \$2,000 is hereby appropriated for the annual salary of such office.

Page 11, strike out from line 1 to line 4, both inclusive.

Same page, line 14, strike out "twelve" and insert "seventeen."

Same page, line 14, before the word "dollars" insert "and thirty-two."

Same page, after the word "necessary" insert "and for apparatus, five thousand dollars."

Same page, after line 15, insert the following:

For the State Normal and Training School, at Brockport, for addition to buildings, \$20,000; for steam heating apparatus, \$12,148; for tin-roofing of old buildings, \$1,352; for furniture, \$2,000; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

For the State Normal and Training School, at Albany, for repairs to buildings, for additions to apparatus and for furniture and books, \$2,000.

Same page, strike out from line 22 to line 24, both inclusive.

Same page, after line 33, insert the following:

For the purchase of 1,250 copies of volume 1 of Hough's Classified

Abstract of the Laws of New York, during the first century of the State government, at a rate not to exceed \$4 per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the Session Laws of this State.

Same page, after line 12, insert the following:

For the St. Joseph's Institution, for the improved instruction of deaf mutes, at Fordham, for the support and instruction of deaf mutes, for various periods of time, in 1878 and 1879, in addition to those provided for by former appropriations, \$1,789.10, or so much thereof as may be necessary.

Same page, after line 17, insert the following:

For the State Board of Charities, for deficiency in appropriations for current expenses, \$2,000.

For the removal of crippled, blind, lunatic and other infirm alien paupers, to the countries whence they came, the sum of \$3,000, or so much thereof as may be necessary; the State Board of Charities is hereby authorized to cause the removal to the countries whence they came, of any crippled, blind, lunatic or other infirm alien paupers sent to this country by cities or towns in the various governments of Europe, or by societies, relatives or friends, and who may be found in any poor-house, alms-house or other institutions of charity in this State.

Page 13, after line 21, insert the following:

For the city of Utica, for assessment for the construction of the third and seventh ward sewer outlet, \$482.20; and for the Knox street sewer, \$52.33.

For the city of Syracuse, as an equitable payment of the local assessment and expenses for paving on Salina street, in said city, in front of the Salt Spring office, in 1876, \$382.72, and of the local assessment and expenses for constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in 1877, \$2,478.76.

Page 14, line 12, strike out "State Engineer and Surveyor" and insert "Superintendent of Public Works."

Same page, line 19, after the word "dollars" insert "but no part of this appropriation shall be expended unless, in the judgment of the State Engineer and Surveyor, the State works cause or contribute to the damages complained of."

Same page, line 28, strike out "five" and insert "seven."

Same page, line 29, before the word "dollars" insert "five hundred."

Page 15, line 9, strike out "two" and insert "four."

Same page, after line 18, insert the following:

For the construction of a bridge over the west branch of the Hudson river, known as the Sacandaga river, near the village of Northville, in the county of Fulton, \$5,000, to be expended under the direction of the supervisor of the town of Northampton, upon vouchers to be approved by the Comptroller.

For the construction of a bridge over Grass river, in the town of Russell, county of St. Lawrence, on the road leading from Canton to Edwards, \$2,500, to be expended under the direction of the supervisor of said town, upon vouchers to be approved by the Comptroller.

Page 16, after line 16, insert the following:

For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through the reservation into the town of Perrysburgh in the county of Cattaraugus, changing the line thereof, and for the erection and repair of bridges thereon, the sum of \$3,000, to be expended under the supervision of Millin T. Hill, James Welch and Henry Locke, of Gowanda, who are hereby appointed commissioners for that purpose ; and for repairing the highway upon such reservation, running from Versailles through the reservation into the town of Collins in Erie county to Lawton's Station, and for the erection and repair of bridges thereon, the sum of \$500, to be expended under the supervision of Elijah H. Lawton and Enos S. Hibbard, of Collins, who are hereby appointed commissioners for that purpose ; each of said five commissioners shall receive out of said sums two dollars per day for each full day occupied by him in and about such service, but the total compensation of said first-named three commissioners shall not exceed the sum of \$200 ; and the total compensation of said last-named two commissioners shall not exceed the sum of \$75 ; and no part of the sums hereby appropriated shall be paid over to the commissioners in each case until they shall have executed a bond to the people of this State, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners and truly account under oath to the Comptroller for all moneys received by them for the purposes aforesaid, and no part of said sum shall be expended except upon a plan and estimate of said work which will complete it within the sums above appropriated.

For building the necessary culverts and sluices, and for grading and graveling the approaches to the bridge over the Onondaga creek on the Onondaga Indian reservation, and for repairing the roadway to the same, on what is called the William Hill road, the sum of \$1,500, or so much thereof as may be necessary, to be expended under the supervision of Daniel Pinckney, of the town of Onondaga, who is hereby appointed a commissioner for that purpose, who shall receive out of the sum herein appropriated three dollars per day for each full day occupied by him in such service, but his total compensation shall not exceed the sum of \$150, and no part of the sum herein appropriated shall be paid over to said commissioner until he shall have executed a bond to the people of this State, to be approved by the Comptroller, for the faithful performance of his duties as such commissioner.

For building a bridge to be constructed of iron, stone and wood, across the Tonawanda creek, on the Tonawanda Indian reservation, where said creek is crossed by the Akron road, leading from the county of Erie into the county of Genesee, the sum of \$2,200, to be expended under the supervision of Joseph W. Holmes, Alpha E. Bennett, and Daniel Norton, of Alabama, Genesee county, who are hereby appointed commissioners for that purpose, who shall receive out of the sum herein appropriated two dollars per day each for each full day occupied by them in such service, but their total compensation shall not exceed the sum of \$150 ; and no part of the sum herein appropriated shall be paid over to said commissioners until a like sum of \$2,200 shall be paid to them for the same purpose by the Tonawanda band of Seneca Indians, from their annuities or trust fund interest, nor until such commissioners shall give a bond to the people of the State conditioned for the faithful performance of their duties as such commissioners.

Same page, after line 19, insert the following :

For the Soldiers and Sailors' Home, at Bath, for the erection of a hospital, \$15,000 ; for improvement of grounds, for fencing and for conducting farm, \$10,000 ; and for the erection of a chapel, \$10,000 ; and for additional buildings, \$5,000.

Same page, line 22, strike out " five hundred " and insert " one thousand."

Page 18, after line 7, insert the following :

For the erection of magazines at such State armories as may be designated therefor by the Adjutant-General, and for laying flagging at such armories, the sum of \$5,000, or so much thereof as may be necessary, to be expended under the direction of the chief of ordnance, upon plans to be approved by the Adjutant-General, and paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

The balance remaining unexpended of the sum of \$4,000 appropriated in chapter 272 of the Laws of 1879, " for aiding to uniform separate companies, troops and batteries, in cases where their uniform funds, owing to large enlistments, after their annual musters, shall be inadequate for that purpose," being the sum of \$2,000, is hereby re-appropriated, together with the additional sum of \$1,000, which is hereby appropriated for such purpose, and to aid in uniforming companies of regiments which are in the same exigency for like cause, and for the purchase of such equipments for troops as may be ordered by the Adjutant-General, to be paid on his audit and the approval of the commander-in-chief.

Page 19, strike out from line 13 to line 30, both inclusive.

Same page, after line 12, insert the following :

For replacing the uniforms and equipments belonging to the 21st separate company National Guard, which were injured or destroyed while that company was on duty at West Albany, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$1,600, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said company, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For replacing the uniforms and equipments belonging to the 54th regiment National Guard, which were injured or destroyed while that regiment was on duty at Hornellsville, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$8,480, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For the Adjutant-General, for paying to the 7th separate company of infantry, third brigade, National Guard (formerly the 3d separate company of infantry, tenth brigade, third division, National Guard), as commutation for rations furnished said company from the 23d to the 29th day of July, 1877, both inclusive, while on duty under orders from the commander-in-chief, \$300, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the commander-in-chief.



Same page, after line 36, insert the following :

For completing State armory at Newburgh, the sum of \$5,000, to be paid on the audit of the Adjutant-General, and the approval of the commander-in-chief.

Page 20, line 31, after the word "dollars" insert the following :

For flagging and grading walks in yard, \$1,500 ; for general repairs, painting, relaying floors, purchase of tools, repairing fences, carts and wagons, \$1,000 ; for completion of drains and sewers, \$200 ; for repairing keyroom, putting up gun rack, for locks, keys and repairs in prison hall, \$500 ; for altering and repairing guard-house, \$250 ; for relaying floors and building stalls in stable, \$300 ; for making survey and preparing plans and specification for iron fence, \$267 ; for preparing plans and specifications, and superintending putting on of new roof to female prison, \$123.50 ; for new ice-house, \$500 ; for repairing roofs, \$1,000.

Page 21, line 19, after the word "dollars" insert the following :

For 600 feet of hose, \$660.

Page 22, line 28, after the word "dollars" insert the following :

And for counsel fees in the Assembly investigation, in 1880, into the circumstances attending the lease of the Dannemora railroad, \$250.

For the Superintendent of State Prisons, to pay Charles D. Bruyn, assignee of Thomas Hamilton, for balance due said Hamilton on account of materials furnished and delivered to the authorities at the State prison at Sing Sing, the sum of \$2,238.93.

Same page, line 25, after the word "thousand" insert "seven hundred and fifty."

Same page, line 34, after the word "managers" insert the following :

And to provide a fund for carrying on its industries, to be used under the direction of the managers, \$50,000.

Page 23, line 2, after the word "dollars" insert the following :

For a bridge or an earth embankment and extension of railroad across the ravine south of the main asylum building, to the two groups of buildings south of the ravine, \$10,000 ; and for the completion of the laundry floor and enlargement of the steward's office, \$5,000.

Same page, line 23, after the word "necessary" insert the following :

For grading and sub-soiling garden, \$1,000 ; for fertilizer for grounds, \$1,000 ; for grass and garden seeds, \$75 ; for fences, \$5,000 ; and for contingencies, \$5,000.

Same page, line 31, after the word "necessary" insert the following :

And for steam boilers, setting same, and connections ; for renewals and repairs, including re-setting of boilers ; for fixtures for laundry, drying-room and ironing-rooms and equipment of east and west section ; for building driveway under Hudson river railroad bed ; for ventilating pipes ; for iron door and window guards ; for extending water pipes in the laundry ; for coal-sheds and tramway ; for yard walls and fences ; for flooring onebras ; for draining and paving around portions of the buildings ; for plastering air ducts, and for salary of building superintendent, under whose direction the work is to be done, \$24,000.

For the Binghamton asylum for the chronic insane, for window guards ; for repairing vestibules ; for painting interior wards, exten-

sions and stairways; for repairs to administration building; for building kitchen and store-room; for drains and grading; for excavating beneath floors of basement rooms; for iron water tanks and connections; for materials and labor for plumbing and gas-fitting; for furniture for wards, laundry, kitchen and administration building; for fitting up dispensary; for windows in towers; for completing sewerage; for telephonic communication with water-works and city of Binghamton; for farming implements, stock, fertilizers and fencing; for farm buildings; for hay scales; for gas works, laying mains and making connections; for officers' salaries to close of current fiscal year; for deficiency on account of maintenance; for completing, heating and ventilation, including fan-house; and for alterations and repairs of south wing, \$64,590.

Same page, strike out from line 32 to line 35, both inclusive.

Same page, after line 35, insert the following:

For the New York State Asylum for the Blind, at Batavia, for the construction of boiler-house and laundry, and purchase of heating and other apparatus for the same, \$26,768, to be expended on vouchers to be approved by the Comptroller.

For the Thomas asylum for orphan and destitute Indian children, for perfecting bathing arrangement; for building cellar under laundry; for repairs to exterior of buildings, and for erecting building for nursery rooms and hospital, \$3,450.

The paragraph in chapter 272 of the Laws of 1879, which is in the following words: "Hereafter no person who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane or deaf and dumb, shall be admitted as an inmate therein," is hereby amended so as to read as follows:

"Hereafter no pauper who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane, or deaf and dumb, shall be admitted as an inmate therein."

Page 24, line 17, strike out "two" and insert "five."

Same page, lines 17 and 18, strike out "five hundred."

Same page, line 18, after the word "dollars" insert the following:

And for the erection of additional buildings for a primary and a graduating department for boys, \$65,000, but no part of this sum shall be expended except upon plans to be approved by the Comptroller, and upon contracts for the completion of the building at a total cost not to exceed \$100,000.

For the Society for the Reformation of Juvenile Delinquents, on Randall's Island, for deficiency in appropriations for current expenses, \$30,000.

Same page, after line 36, insert the following:

The New Capitol Commissioners are hereby charged with the care and superintendence of the south center portion of the New Capitol building, when completed, and such other portions thereof as may be ready for occupancy on the 1st day of January, 1881, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, and for that purpose and for deficiency in appropriations for the care of the Capitol, the sum of \$25,000 is hereby appropriated, payable on the order of the New Capitol Commissioners, as the same may be required by them.



Page 25, strike out from line 1 to line 9, both inclusive.

Same page, after line 9, insert the following :

For Charles Van Benthuyzen & Sons, for printing, pursuant to concurrent resolution passed March 12, 1880, 2,000 copies of the annual report of the Superintendent of the Insurance Department, fire and life portion complete, 2,000 copies fire and marine portion of said report, and 1,500 copies of the life and casualty portion of said report, and for binding the same in full cloth, gilt, to be paid upon the certificate of the Superintendent of the Insurance Department of the completion and delivery of the said work, \$5,432.19 ; the said amount to be paid from the surplus fund in the treasury arising from the excess of moneys paid into the treasury by the Superintendent of the Insurance Department over and above the moneys disbursed on account of said department ; for printing and binding, pursuant to the resolution of the Assembly adopted May 19, 1879, 2,625 sets, being 7,875 volumes, of the annual report of the Adjutant-General for 1868, being a complete roster of the officers of the volunteer forces of this State during the late war for the preservation of the Union, payable upon due certificate of the proper completion and delivery of the work, \$13,188.22, or so much thereof as may be necessary ; for printing and binding 6,000 volumes of the natural history of the State ; volume 5, Palaeontology, text and plates, the sum of \$13,500, or so much thereof as may be required by the contracts for the publication of said work now in force ; for printing testimony taken in the contested election case of Trowbridge against Tighe, in 1879, \$49.76 ; for printing testimony taken in the investigation of the Brooklyn bridge, in 1879, \$257.37 ; and for printing testimony taken in the investigation of the Kingston election case, \$163.80.

Page 27, strike out from line 3 to line 9, both inclusive, as follows :

" For furnishing 934 copies of the New York Civil List, pursuant to concurrent resolution of the Legislature, passed February 5, 1878, to be paid on the certificate of the Secretary of State, \$1,868."

Same page, line 16, strike out " six " and insert " seven."

Same page, line 17, strike out " seven hundred and fifty."

Same page, line 23, strike out " three " and insert " four ; " strike out " six " and insert " five."

Same page, line 24, strike out " and twenty-five."

Page 28, line 19, strike out the word " and," first occurring.

Same page, line 25, after the word " dollars " insert the following :

For printing and binding, in cloth, proceedings of the university convocation of 1876, \$500, to be paid on the certificate of the secretary of the Board of Regents ; for printing and binding, in cloth, the manual of the Regents of the University for 1880, \$700, to be paid on the certificate of the secretary of the Board of Regents ; for printing, lithographing, binding and stationery furnished the State Museum of Natural History, \$500, to be paid on the certificate of the director of the museum ; for printing 12,000 copies of the report of the State Assessors, pursuant to concurrent resolution of the Legislature passed February 12, 1880, \$800 ; for printing and lithographing 1,000 copies of the geological map of the Catskill mountain region and the southern counties of the State, and printing the documents accompanying the same, \$2,000, or so much thereof as may be necessary, to be paid on the certificate of secretary of the Board of

Regents ; and for 6,000 copies of the Seventh Annual Report of the Adirondack Survey, furnished pursuant to concurrent resolution of the Legislature passed April 13, 1880, to be paid on the certificate of the Secretary of State, the sum of \$15,000.

Same page, strike out from line 26, inclusive, down to and including line 10, on page 29.

Page 29, after line 10, insert the following :

For Mrs. Barbara Kennedy, widow of Captain John Kennedy, Jr., as a gratuity in full for all claims for damages for the loss by death of her husband, resulting from sickness occasioned by exposure and hardship while in the discharge of his duties as captain in the 8th regiment, National Guard, at Syracuse, under the orders of the commander-in-chief, during the riots of July, 1877, \$1,500.

For building an addition to the State armory at Oswego, on lands recently purchased by the State for such purpose, for the use of a battery of troop of cavalry attached to the 6th brigade, National Guard, the sum of \$15,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State ; but no part of said sum shall be expended by them, except upon a contract for the completion of such addition within the limits of this appropriation.

For the erection of an armory, for the use of the 17th separate company of infantry, at Flushing, Queens county, the sum of \$9,000 ; to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance ; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrance.

Same page, after line 32, insert the following :

PAYABLE FROM THE UNITED STATES DEPOSIT FUND.

*Capital.*

For investment of the capital of the United States deposit fund, \$150,000, or so much thereof as may be necessary, in addition to all former appropriations for such purpose.

*Revenue.*

For the Comptroller to pay damages, attorney's costs and disbursements in the suit of Francis M. Thompson against the commissioners for loaning certain moneys of the United States for the county of Otsego, the sum of \$2,000, or so much thereof as may be necessary.

The bill entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," having been announced for a third reading,

Mr. Varnum moved to recommit said bill to the committee on affairs of cities, with instruction to amend as follows :

Section 2, line 3, insert after the word "eighty" the word "one ;" line 3, strike out "forty-five" and insert "fifty ;" line 6, strike out "eight" and insert "nine."

Section 3, line 1, strike out "one" and insert "two ;" line 2, strike out "eighty-eight" and insert "ninety ;" line 6, strike out "eighty-nine" and insert "ninety-one."

Section 4, strike out "require" and insert "authorize."

Add at end of section 6: "But nothing in this act contained shall be construed to confer upon said board of estimate and apportionment any right or authority not now possessed by said board to interfere with the control or management of any department of the city government, or to regulate the number or compensation of the subordinates in any department except with the consent of the head of such department, but except as herein-above limited said board shall possess all the powers conferred upon the local authorities of cities by the provisions of an act entitled 'An act relating to the fees, percentages or allowances of public officers or burdens upon, and a charge against the various cities of the State.'"

Amend section 10 by striking out the word "immediately" and substituting therefor the words "on the first day of August, 1880."

Mr. Hayes moved to further instruct said committee to strike out the fourth section.

M. Titus moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Hayes, and it was determined in the negative.

{ AYES 43 }  
{ NOES 63 }

Those who voted in the affirmative, were

Andrews	Deane	McCarthy	Sheridan
Benedict, T. E.	Dougherty	McDonald	Strait
Bennett	Ellis	McTernan	Thilemann
Brodsky	Fitzgerald	Mead	Tormey
Bullock	Gibbs	Newman	Treanor
Carpenter, E. A.	Hagan	O'Brien	Tully
Catlin	Havens	O'Connor	Walsh
Clancy	Hayes	Parker	Wells, J. L.
Clowes	Hoffman	Potter	Wiley
Cohen	Lefever	Rhodes	Youngs
Cushing	McAvoy	Shanley	

Those who voted in the negative, were

Alvord	Cookinham	Ingersoll	Sherman
Baker, B. F.	Crapser	Kennedy	Shuit
Baker, C. S.	Cullinan	Liddle	Sipp
Beach	Curtis	Lindsay	Siason
Beates	Davis	Low	Skinner
Bradley	Douglass	Miller	Slingerland
Brennan	Duguid	Mitchell	Steele
Bridges	Evans	Mooers	Tallmadge
Carpenter, I. S.	Ferris	Nowlan	Titus
Case	Fish	Peck	Tuttle, R. M.
Chamberlain	Fiske	Phillips	Varnum
Chase	Gorsline	Pitcher	Warner
Chickering	Gray	Potts	Waterbury
Childs	Grosse	Roberts	Wells, D. A.
Clark	Howland	Root	Wren
Comstock	Husted	Seeley	

Said bill was read the third time.

**MAY 11.]**

**1868**

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**{ AYES 67 }**  
**{ NOES 34 }**

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Shuit
Andrews	Cookinham	Ingersoll	Sisson
Baker, B. F.	Crapser	Kennedy	Skinner
Baker, C. S.	Cullinan	Liddle	Slingerland
Beach	Curtis	Low	Steele
Beates	Davis	Miller	Terry
Bradley	Douglass	Mitchell	Titus
Brennan	Duell	Mooers	Tuthill, H. H.
Bridges	Duguid	Morgan	Tuttle, R. M.
Bullock	Evans	Nowlan	Van Valkenburgh
Carpenter, I. S.	Ferris	Phillips	Varnum
Case	Fish	Pitcher	Warner
Chase	Fiske	Potts	Waterbury
Chickering	Gorsline	Root	Wells, D. A.
Childs	Gray	Russell	Wren
Clark	Grosse	Seeley	Mr. Speaker
Clowes	Howland	Sherman	

Those who voted in the negative, were

Benedict, T. E.	Fitzgerald	McTernan	Sheridan
Bennett	Gibbs	Mead	Strait
Carpenter, E. A.	Hagan	Newman	Tormey
Catlin	Havens	O'Connor	Treanor
Clancy	Hayes	Parker	Walsh
Cohen	Hoffman	Potter	Wells, J. L.
Cushing	McAvoy	Rhodes	Wiley
Dougherty	McCarthy	Shanley	Youngs
Ellis	McDonald		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,'" having been announced for a third reading,

On motion of Mr. Speaker, and by unanimous consent, said bill was amended by adding as section 3 the following:

§ 3. This act shall take effect immediately.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

**{ AYES 96 }**  
**{ NOES 00 }**

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sipp
Beach	Douglass	McCabe	Sisson
Beates	Duell	Mead	Skinner

Bradley	Duguid	Miller	Slingerland
Brennan	Ellis	Mitchell	Steele
Bridges	Evans	Mooers	Strait
Brodsky	Fish	Morgan	Tallmadge
Bullock	Fiske	Nowlan	Terry
Carpenter, E. A.	Fitzgerald	O'Brien	Titus
Carpenter, I. S.	Gorsline	O'Connor	Travis
Case	Gray	Parker	Treanor
Chamberlain	Griggs	Peck	Tuthill, H. H.
Chase	Grosse	Phillips	Tuttle, R. M.
Chickering	Hayes	Pitcher	Van Valkenburgh
Childs	Hoffman	Potter	Varnum
Clark	Howland	Potts	Warner
Clowes	Hurd	Roberts	Waterbury
Comstock	Husted	Root	Wells, J. L.
Cookinham	Ingersoll	Sanders	Wiley
Crapser	Kennedy	Seeley	Wren
Cullinan	Lefever	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Pitcher offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 519, entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,' " for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 213, entitled "An act to incorporate the Governor's Guard of the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced as a conference committee, on the part of the Assembly, on the supply bill: Messrs. Husted, Alvord, Titus, Mooers and Shanley.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 30, entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the

asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.' ”

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor the following bills for amendment :

Assembly bill No. 515, general orders No. 590, entitled “An act to amend chapter 30 of the Laws of 1880, entitled ‘An act to amend chapter 598 of the Laws of 1870, entitled ‘An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy and supplemental thereto, passed February 27, 1880,’ ” for amendment.

Assembly bill No. 431, general orders No. 474, entitled “An act authorizing the village of Wellsville to apportion certain parts of the highway for sidewalk purposes.”

Assembly bill No. 561, general orders No. 642, entitled “An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York.”

Assembly bill No. 180, entitled “An act to establish a local court of civil jurisdiction in the city of Buffalo.”

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of concurrence in the following bills :

“An act to amend chapter 763 of the Laws of 1872, entitled ‘An act to amend the charter of the village of Saratoga Springs.’ ”

“An act in relation to the village of Potsdam.”

“An act to amend chapter 251 of the Laws of 1857, entitled ‘An act to amend and consolidate the charter of the village of LeRoy.’ ”

“An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor.”

“An act to amend an act entitled ‘An act to enable the electors of the town of Johnstown to vote by districts for town officers, passed March 21, 1862.’ ”

“An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district.”

“An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor.”

“An act to incorporate Alert Hose Company No. 3, of Medina, New York.”

“An act to amend chapter 369 of the Laws of 1868, entitled ‘An act to amend the act incorporating the village of Phoenix, in the county of Oswego.’ ”

“An act to amend chapter 363 of the Laws of 1878, entitled ‘An act in relation to the regrading and paving of Grand street, from Union



avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement."

"An act to prevent trespassing and intrusion upon railroad cars and engines."

"An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers."

"An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game.'"

"An act to provide for the protection and preservation of fish in the county of Monroe, State of New York."

"An act to prevent fishing with nets in a part of the waters of Lake Ontario."

"An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company."

"An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county."

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

"An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York."

"An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."

"An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Roberts moved that the order of business be laid aside for the purpose of going into committee of the whole on Senate bill printed No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 75 }  
{ NOES 18 }

Those who voted in the affirmative, were

Alvord	Clowes	Ingersoll	Russell
Andrews	Gomstock	Kennedy	Sanders
Baker, B. F.	Cookinham	Lefever	Seeley
Baker, C. S.	Cullinan	Liddle	Sheridan



Beach	Curtis	Lindsay	Sherman
Beates	Cushing	Low	Shuit
Bennett	Davis	McAvoy	Sisson
Bradley	Dougherty	McCabe	Steele
Brennan	Douglass	Mead	Terry
Bridges	Duell	Miller	Titus
Brodsky	Duguid	Mitchell	Travis
Bullock	Evans	Mooers	Tuttle, R. M. *
Carpenter, E. A.	Ferris	Morgan	Van Valkenburgh
Carpenter, I. S.	Fiske	Nowlan	Varnum
Case	Fitzgerald	O'Brien	Waterbury
Chase	Griggs	O'Connor	Wells, D. A.
Chickering	Hayes	Potter	Wells, J. L.
Childs	Howland	Potts	Youngs
Clark	Hurd	Roberts	

Those who voted in the negative, were

Benedict, E. D.	Havens	Rhodes	Treanor
Clancy	Hoffman	Shanley	Tully
Crapser	Newman	Sipp	Walsh
Ellis	Parker	Thilemann	Wiley
Grosse	Pitcher		

Mr. Titus offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 27, entitled "An act to exempt any county in this State from the requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State, and of the several acts amendatory thereof,'" be considered in this committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Speaker stated that the House would now resolve itself into committee of the whole on Senate bill No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

The House then resolved itself into a committee of the whole on the bill entitled as follows :

Senate, "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ferris, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Roberts moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Roberts, and it was determined in the affirmative.

{ AYES 62 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Comstock	Lindsay	Seeley
Andrews	Curtis	Low	Sheridan
Baker, B. F.	Cushing	McCabe	Sherman
Baker, C. S.	Deane	Miller	Slingerland
Beach	Douglass	Mitchell	Tallmadge
Bradley	Duguid	Mooers	Terry

Bridges	Ferris	Morgan	Titus
Brotsky	Fitzgerald	Nowlan	Travis
Carpenter, E. A.	Gray	O'Brien	Van Valkenburgh
Carpenter, I. S.	Griggs	Phillips	Varnum
Case	Howland	Potter	Warner
Chamberlain	Hurd	Potts	Waterbury
Chase	Husted	Roberts	Wells, D. A.
Childs	Ingersoll	Russell	Wells, J. L.
Clark	Kennedy	Sanders	Youngs
Clowes	Lefever		

Those who voted in the negative, were

Clancy	Hoffman	Rhodes	Treanor
Crapser	McDonald	Shanley	Tully
Ellis	Newman	Sipp	Tuttle, R. M.
Havens			

By unanimous consent,

Mr. Travis introduced a bill entitled "An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

Leave of absence was granted to Mr. Catlin.

By unanimous consent,

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 124, entitled "An act fixing the amount to be paid on a policy of insurance," be made a special order for Wednesday morning, May 12th, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 764, general orders No. 936, entitled "An act to authorize a treaty with the Onondaga Indians," be made a special order for Wednesday the 12th inst., immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the "Concurrent resolution proposing an amendment to section 1 of article 2 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Mead offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 538, general orders No. 652, entitled "An act to authorize cities and incorporated villages to charge

license fees to persons doing a retail business on the canals of this State," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Duguid offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 794, general orders No. 982, entitled "An act to institute a State board of correction and pardons and county boards of correction," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Seeley
Andrews	Davis	McCabe	Sherman
Baker, B. F.	Deane	McCarthy	Shuit
Baker, C. S.	Douglass	Mead	Skinner
Beach	Duell	Miller	Slingerland
Benedict, E. D.	Duguid	Mitchell	Steele
Bradley	Ellis	Mooers	Tallmadge
Brennan	Evans	Morgan	Terry
Bridges	Ferris	Newman	Titus
Brodsky	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Treanor
Carpenter, I. S.	Gorsline	Parker	Tuthill, H. H.
Case	Gray	Phillips	Tuttle, R. M.
Chase	Griggs	Pitcher	Van Valkenburgh
Chickering	Grosse	Potter	Varnum
Childs	Hayes	Potts	Warner
Clark	Hoffman	Rhodes	Waterbury
Clowes	Hurd	Roberts	Wells, D. A.
Comstock	Ingersoll	Root	Wells, J. L.
Cookinham	Kennedy	Russell	Wren
Cullinan	Lefever	Sanders	Youngs
Curtis	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," with a message that they have concurred in the passage of the same, with the following amendments :

Page 2, engrossed bill, section 2, line 6, after the word "in" insert "March or."

Strike out all of section 4, and insert as follows :

§ . The comptroller shall cause to be published, twice in each week for three weeks, in the official paper and two other newspapers of the city of Buffalo, a list or statement of the real estate charged with the payment of such taxes and assessments and interest, and so liable to be sold, and also a notice that the said real estate will, on a day at the expiration of the said three weeks to be specified in such notice, and the succeeding days, be sold at public auction to the highest bidder at the county and city hall, in the said city of Buffalo, to pay the taxes, interest and expenses thereon, which may remain unpaid at the time of such sale; the expense of publishing such list and notices shall not exceed the sum of one dollar to each newspaper for each parcel of land so advertised. On the day named in said notice the said comptroller shall commence the sale of said real estate at auction to the highest bidder, and shall continue such sale from day to day until the whole thereof shall be sold, but the owner of any piece of land, or his representative, may redeem the same at any time before the actual sale thereof by paying the tax or taxes for which it is to be sold with all accrued interest and expenses. It shall be the duty of the comptroller to bid in for the city all parcels of real estate at such sale, which shall not be purchased by any other person, at a rate sufficient to pay the taxes for which the land is to be sold, with all accrued interest and expenses.

Page 3, line 5, after the word "and" insert "if it shall appear that such proceedings are valid and regular."

Strike out all of section 6 and insert in place thereof as follows :

§ 6. The purchasers at such sale shall pay the amounts of their respective bids to the said comptroller within forty-eight hours after the sale, and thereupon the said comptroller shall execute to each purchaser a certificate in writing which shall contain a description of the real estate purchased, the amount paid therefor, the date of the sale, and that the same was sold for unpaid city taxes; such purchaser or his legal representatives or assigns may, upon receiving such certificate, by virtue thereof and of this act, lawfully hold and enjoy for his and their own proper use and benefit, and the use and benefit of his and their heirs and assigns forever, the real estate described in said certificate, unless the same shall be redeemed as hereinafter provided; and he and his heirs and assigns may, at any time after the time limited in the seventh section of this act for the redemption of such premises shall have expired and the notice therein provided for been given, and said premises shall not have been redeemed as therein provided, and not before, obtain actual possession of the premises by an action at law, or by causing the occupant of such real estate to be removed therefrom, and the possession thereof to be delivered to him in the same manner, and by the same proceedings, by and before the same officers as in the case of a tenant holding over after the expiration of his term without permission of his landlord.

Page 4, line 5, after the word "in" insert "or having a lien upon;" line 13, strike out "aforesaid;" line 27, after the word "therein" strike out all down to and including the word "purpose" in line 30.

Page 5, line 2, strike out "the total amount," and insert "the tax, costs, interest and expenses;" line 8, after "Buffalo" insert "and which hours shall be between nine o'clock in the forenoon and eight o'clock in the afternoon;" line 22, strike out "six weeks in" and in-

sert "three months prior to the day therein named for redemption in three newspapers published in said city, and one of which shall be;" line 31, after "purchase" insert "including the city of Buffalo, its or;" after "heirs" insert "successors."

Page 7, add at end of section 9 the following:

"Where the invalidity or irregularity of any tax or assessment appears upon the face of the proceedings, any party in interest may apply by petition to the superior court of Buffalo for an order canceling the same, said court shall require reasonable notice to be given to the city of such petition, and shall hear the proofs and allegations of the parties, and shall, in case such irregularity or invalidity is established, order such tax or assessment to be canceled, and thereupon the same shall be canceled by the comptroller."

Page 7, line 15, strike out "six" and insert "seven;" lines 20 and 21, strike out all except the word "upon" and insert the words "amount or sum so paid;" line 28, strike out "general;" strike out all of line 33, including "lector to" in line 34, and insert "for six months after the warrant for its collection has been placed in the hands of."

Page 8, line 16, insert "but;" line 19, insert "except local assessments for sidewalks and crosswalks."

Strike out all of section 12.

Page 9, line 5, insert the word "and," and insert "hereafter assessed including;" line 7, after "levied" insert "except as herein provided."

Change section 14 to 13, and 15 to 14.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sheridan
Andrews	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Cushing	Liddle	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, E. D.	Dougherty	McAyo	Slingerland
Benedict, T. E.	Douglass	McCabe	Steele
Bradley	Duell	McDonald	Strait
Brennan	Duguid	Miller	Terry
Bridges	Ellis	Mitchell	Titus
Brodsky	Evans	Mooers	Travis
Bullock	Ferris	Morgan	Treanor
Carpenter, E. A.	Fish	Nowlan	Tully
Carpenter, I. S.	Fiske	O'Brien	Tuthill, H. H.
Case	Gorsline	Parker	Tuttle, R. M.
Chamberlain	Gray	Phillips	Van Valkenburgh
Chase	Griggs	Pitcher	Varnum
Chickering	Grosse	Potts	Warner
Childs	Hayes	Rhodes	Waterbury
Clark	Hoffman	Roberts	Wells, D. A.
Clowes	Howland	Root	Wells, J. L.
Cohen	Hurd	Sanders	Wren
Comstock	Husted	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Phillips offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, not printed, introductory No. 1065, entitled "An act to legalize the official acts of Daniel F. St. John, a justice of the peace in the town of Clarendon, in the county of Orleans," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sanders
Andrews	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Sisson
Beates	Dougherty	Low	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Bradley	Duell	McDonald	Steele
Brennan	Duguid	Miller	Strait
Bridges	Ellis	Mitchell	Tallmadge
Brodsky	Evans	Mooers	Terry
Bullock	Ferris	Morgan	Titus
Carpenter, E. A.	Fish	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Tuthill, H. H.
Chamberlain	Gray	Peck	Tuttle, R. M.
Chase	Griggs	Phillips	Van Valkenburgh
Chickering	Grosse	Pitcher	Warner
Childs	Hayes	Potts	Waterbury
Clark	Hoffman	Rhodes	Wells, D. A.
Clowes	Howland	Roberts	Wells, J. L.
Cohen	Hurd	Root	Wren
Comstock	Husted	Russell	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Duell introduced a bill entitled "An act to provide for the revision of the local and special laws affecting public interests in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act in relation to 111th street, between 5th and 6th avenues, in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Russell introduced a bill entitled "An act in relation to Furman street in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to confirm certain deeds given by the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mitchell, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Andrews	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, C. S.	Curtis	Low	Sisson
Beach	Davis	McCabe	Skinner
Beates	Deane	Miller	Slingerland
Bradley	Dougherty	Mooers	Steele
Brennan	Douglass	Morgan	Strait
Bridges	Duell	Nowlan	Tallmadge
Brodsky	Duguid	O'Brien	Terry
Bullock	Evans	Peck	Titus
Carpenter, I. S.	Ferris	Phillips	Tuthill, H. H.
Case	Fish	Pitcher	Tuttle, R. M.
Chamberlain	Gorsline	Potter	Warner
Chase	Gray	Potts	Waterbury
Chickering	Griggs	Rhodes	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clark	Hurd	Root	Wren
Clowes	Husted	Sanders	Youngs
Comstock	Ingersoll		

Those who voted in the negative, were

Newman	Shanley	Sheridan	Walsh
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*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.



The Senate returned Assembly bill entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, engrossed bill, lines 5 and 6, strike out the words "and the city hall park;" also line 11, strike out the words "excluding the city hall park."

Section 4, line 3, strike out the word "seven" and insert the word "four;" line 6, strike out "seven" and insert "four;" line 10, after "act" insert "and no police justice appointed as hereinafter provided;" line 11, strike out "now."

Section 5, lines 4 and 5, strike out "have been at least one year next preceding" and insert "be a resident and."

Section 6, line 3, add after "act" the words "except those brought by non-residents;" line 5, after "reside" insert "or in an adjoining district;" line 10, after "recovered" insert "or in an adjoining district;" after the word "and," in line 10, strike out all down to and including the words "to do," in line 17, and inserting in lieu thereof: "the clerks of the respective courts are hereby required to collect and pay into the city treasury all fees in summary proceedings, keep a docket of all such cases and report the same to the comptroller;" line 23, after the word "committed" insert "or in an adjoining district;" line 29, after "committed" insert "or in an adjoining district."

Section 10, lines 15 and 16, strike out "be entitled to the same emoluments," and add at end of section "shall receive a salary at the rate of thirty-five hundred dollars per year."

Section 11, strike out all down to and including the word "act," in line 11, and insert in lieu thereof the following:

§ 11. On or before the second Monday in July, 1880, the mayor, the comptroller, and the auditor, of the city of Brooklyn, shall meet in the office of the comptroller, at 10 o'clock noon, and shall, by a concurrent vote, proceed to appoint four police justices, and shall designate one of such police justices to hold court at or near the city hall, and one police justice to hold court in each judicial district as created by this act. In case the said mayor, comptroller and auditor shall fail to agree within five days, after a majority of them shall have first met for that purpose, then the mayor shall appoint one, the comptroller one, and the auditor one, and a majority of said mayor, comptroller and auditor shall appoint one of said police justices, in that case a majority shall designate the courts to be held by such justices as above provided.

Line 11, section 11, add after the word "they" the words "or a majority of them," and strike out the words "in the same manner;" also lines 16, 17 and 18, strike out "they shall in like manner appoint the successors to said" and insert in lieu thereof "which term shall be four years, the mayor, comptroller and auditor shall proceed to appoint their successors in the same manner as herein provided for the first appointment of."

Section 12, line 4, strike out the words "for the term of seven years and."

Strike out all of section 15; change section 16 to section 15.

Mr. Shanley moved to further amend said bill in words following:

Strike out all after the enacting clause, and insert the following:

Section 1. The city of Brooklyn is hereby divided into four judicial districts, as follows : The First district shall embrace the territory now embraced in the First, Second, Fifth, Sixth, Eighth, Tenth and Twelfth wards. The Second district shall embrace the territory now embraced in the Third, Fourth, Seventh, Ninth, Twentieth, Twenty-second and Twenty-third wards and city hall park. The Third district shall embrace the territory now embraced in the Eleventh, Thirteenth, Nineteenth, Twenty-first, Twenty-fourth and Twenty-fifth wards. The Fourth district shall embrace the territory now embraced in the Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth wards.

§ 2. At the general election next preceding the expiration of the term of office of the justices of the peace, in the city of Brooklyn, chosen at the general election in the year 1879, their successors shall be elected from the respective judicial districts hereby created by the electors of said districts respectively. The election of a justice of the peace, to fill a vacancy, shall be held in and by the electors of the judicial districts, as created by this act, within which such vacancy shall exist at the next general election after such vacancy shall have occurred. At the general election next held after the passage of this act, there shall be elected in the First judicial district, by the electors of said district, a justice of the peace. The justices of the peace, elected pursuant to the provisions of this act, shall hold court within their respective judicial districts from which they are elected, except that in case any justice shall be absent, or unable to hold court, any other justice of the peace in said city may, upon the request of the justice or clerk of said court, hold court in his stead pending such absence or disability, and when so holding court such justice shall have the same jurisdiction, in all cases, as the justice elected to such court, except that when any testimony shall have been taken he shall not try the matter at issue or render judgment therein.

§ 3. From and after the first day of May, 1881, there shall be in the city of Brooklyn three local inferior courts, to be known as police courts. The justices of said police courts shall be designated police justices, and shall be elected as hereinafter provided. They shall have the same powers and privileges, the same jurisdiction, perform the same duties, be entitled to the same emoluments, and be subject to the same laws as are applicable to the police justice in said city at the passage of this act.

§ 4. On and after the passage of this act the police judicial districts shall be as follows : The First district shall embrace the territory now embraced in the First, Second, Fifth, Sixth, Eighth, Tenth and Twelfth wards and the city hall park. The Second district shall embrace the territory now embraced in the Third, Fourth, Seventh, Ninth, Eleventh, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth wards. The Third district shall embrace the territory now embraced in the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth wards. One of said courts shall be located in each judicial district, at such place as the common council may determine. The said police justices shall be elected at the general election, next held after the passage of this act, by the electors in the respective judicial districts hereby created.

§ 5. It shall be the duty of the board of elections of the city of

Brooklyn, whenever a justice of the peace or a police justice is to be elected, pursuant to the provisions of this act, to provide in each of the judicial districts, at every polling place therein, a separate ballot-box for the reception of the ballots for the said justices, which box shall be labeled "justice of the peace," or "police justice." Such ballots shall be in the form provided by law, and shall have thereon the designation for "justice of the peace," or for "police justice," the number of the district for which the person to be elected is to serve, with the name of the person to be voted for, and shall be indorsed "justice of the peace," or "police justice," with the number of the judicial district.

§ 6. The term of office of the justices of the peace and police justices, to be elected pursuant to the provisions of this act, shall be five years from the first day of May, 1881, and at the general election next preceding the expiration of their respective terms of office, and every five years thereafter, their successors shall be chosen in the manner herein provided. No justice of the peace or police justice, elected under the provisions of this act, shall receive any other fee or compensation than the salary provided by law for such justices.

§ 7. Any person shall be qualified and eligible for election to the said office of justice of the peace, or police justice, who shall at the time of such election have been, at least one year next preceding, an elector in the judicial district within which such election is held, and no other person shall be thus eligible.

§ 8. All civil actions brought before justices of the peace, elected pursuant to the provisions of this act, must be brought in the judicial district in which either one of the plaintiffs or one of the defendants resides. All summary proceedings for the recovery of the possession of land must be brought in the judicial district in which the land is situated which is sought to be recovered, and all fees in summary proceedings, and which shall be received by any justice of the peace elected pursuant to this act, shall be paid by him into the city treasury at the times and in the manner in which justices of the peace of the city of Brooklyn are now required by law to do. All actions upon the charter or ordinances of the corporation of the city of Brooklyn, or of any department thereof, which shall be brought in a court of a justice of the peace or of a police justice, shall be brought in the judicial district in which the offense is alleged to have been committed. Any justice of the peace in said city may issue warrants for any alleged criminal offense within said city; but such warrants must be returnable before a justice of the peace or police justice in the judicial district in which the offense is alleged to have been committed. This section shall apply only to the officers elected pursuant to the provisions of this act.

§ 9. On the first day of May, 1881, the justice of the peace chosen for the First district court shall hold court in the said First judicial district, at such place as the common council may determine. The justice of the peace chosen for the Third district court, at the general election in 1879, or his successor in case of vacancy, shall hold court in the Second judicial district, at such place as the common council may determine. The justice of the peace chosen for the Fifth district court at the general election in 1879, or his successor in case of vacancy, shall hold court in the Third judicial district, at such place as the common council may determine. The justice of the peace

chosen for the Fourth district court, at the general election in 1879, or his successor in case of vacancy, shall hold court in the Fourth judicial district, at such place as the common council may determine. And said justices shall continue to hold such courts, respectively, until the expiration of their respective terms of office.

§ 10. The board of police and excise shall cause all persons arrested by authority of that department, or by any of its officers, except upon a warrant issued by a justice of the peace, to be conveyed in the manner now provided by law to the most convenient police court for trial or examination according to law.

§ 11. From and after the passage of this act, the justices of the peace and police justices in said city shall each have sole power to appoint a clerk of their respective courts; also, to appoint and remove such other clerks, assistants, stenographers and interpreters, as the common council may authorize.

§ 12. All acts, or parts of acts, inconsistent with the provisions of this act are hereby repealed.

§ 13. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 23 }  
{ NOES 59 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McAvoy	Parker
Benedict, T. E.	Fitzgerald	McCarthy	Rhodes
Bennett	Gibbs	McDonald	Shanley
Clancy	Hagan	McTernan	Treanor
Cohen	Havens	Mead	Walsh
Cushing	Hoffman	Newman	

Those who voted in the negative, were

Alvord	Cookinham	Low	Shuit
Andrews	Curtis	Miller	Skinner
Baker, C. S.	Davis	Mitchell	Tallmadge
Beach	Deane	Mooers	Terry
Beates	Douglass	Morgan	Titus
Bradley	Ferris	Peck	Travis
Bridges	Fish	Phillips	Tuthill, H. H.
Brodsky	Gorsline	Pitcher	Tuttle, R. M.
Bullock	Gray	Potter	Varnum
Carpenter, E. A.	Griggs	Potts	Warner
Carpenter, I. S.	Hayes	Root	Waterbury
Chamberlain	Howland	Russell	Wells, D. A.
Chase	Husted	Sanders	Wells, J. L.
Chickering	Lefever	Seeley	Wren
Clowes	Lindsay	Sherman	

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Davis	Liddle	Shuit

Baker, C. S.	Deane	Lindsay	Sisson
Beach	Douglass	McCabe	Skinner
Beates	Duell	Miller	Slingerland
Bradley	Duguid	Mitchell	Steele
Bridges	Evans	Mooers	Terry
Brodsky	Ferris	Morgan	Titus
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Peck	Tuttle, R. M.
Chamberlain	Gray	Phillips	Van Valkenburgh
Chase	Griggs	Pitcher	Warner
Chickering	Grosse	Potter	Waterbury
Childs	Hayes	Potts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Olowes	Hurd	Russell	Wren
Cookinham	Husted	Sanders	Youngs
Crapser	Kennedy	Seeley	Mr. Speaker
Cullinan			

Those who voted in the negative, were

Benedict, E. D.	Fitzgerald	McDonald	Shanley
Bennett	Gibbs	McTernan	Strait
Clancy	Hagan	Mead	Thilemann
Cohen	Havens	Newman	Treanor
Cushing	Hoffman	O'Connor	Tully
Dougherty	McAvoy	Parker	Walsh
Ellis	McCarthy	Rhodes	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 560), entitled "An act to amend chapter 270 of the Laws of 1878, entitled 'An act reappropriating money for the payment of sums due to contractors for new work upon and extraordinary repairs of the canals,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 215), entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 558, general orders No. 637, entitled "An act establishing an agricultural experiment station," be made a special order for Wednesday morning, May 12th.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent

to the Governor, asking the return of Assembly bill No. 210, entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Brodsky (introductory No. 655), entitled "An act authorizing the Adjutant-General, the Inspector-General, the Commissary-General, to audit the claim of the 12th regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 157), entitled "An act for the relief of the Buffalo Surgical Infirmary," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act to amend chapter 217 of the Laws of 1875, entitled 'An act relative to the Farmers' Loan and Trust Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Root
Andrews	Davis	Lefever	Seeley
Baker, B. F.	Deane	Liddle	Shanley
Baker, C. S.	Dougherty	Lindsay	Sheridan
Beach	Douglass	Low	Sherman
Beates	Duell	McAvoy	Shuit
Benedict, E. D.	Duguid	McCabe	Sipp
Brennan	Ellis	McCarthy	Sisson
Bridges	Evans	McDonald	Slingerland
Brodsky	Ferris	Miller	Steele
Bullock	Fish	Mitchell	Strait
Carpenter, E. A.	Fiske	Mooers	Tallmadge
Carpenter, I. S.	Gorsline	Morgan	Terry
Chamberlain	Gray	Newman	Titus
Chase	Griggs	O'Brien	Travis
Chickering	Grosse	Peck	Treanor
Childs	Havens	Phillips	Tuttle, R. M.
Clark	Hayes	Pitcher	Warner
Clowes	Hoffman	Potter	Waterbury
Comstock	Howland	Potts	Wells, D. A.
Cookinham	Hurd	Rhodes	Wells, J. L.
Crapser	Husted	Roberts	Wren
Cullinan	Ingersoll		



*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, May 7, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sanders
Andrews	Curtis	Lefever	Seeley
Baker, B. F.	Davis	Liddle	Shanley
Baker, C. S.	Deane	Lindsay	Sheridan
Beach	Dougherty	Low	Sherman
Beates	Douglass	McAvoy	Shuit
Benedict, E. D.	Duell	McCabe	Sisson
Bennett	Duguid	McCarthy	Skinner
Bradley	Evank	McDonald	Slingerland
Brennan	Ferris	Miller	Steele
Bridges	Fish	Mitchell	Strait
Brodsky	Fiske	Mooers	Tallmadge
Bullock	Fitzgerald	Morgan	Terry
Carpenter, E. A.	Gorsline	Newman	Titus
Carpenter, I. S.	Gray.	Nowlan	Travis
Case	Griggs	O'Brien	Treanor
Chamberlain	Grosse	Peck	Tuthill, H. H.
Chase	Hagan	Phillips	Tuttle, R. M.
Chickering	Havens	Pitcher	Van Valkenburgh
Childs	Hayes	Potter	Waterbury
Clark	Hoffman	Potts	Wells, D. A.
Clowes	Howland	Rhodes	Wells, J. L.
Comstock	Hurd	Roberts	Wren
Cookinham	Husted	Root	Youngs
Crapser	Ingersoll	Russell	

On motion of Mr. Root, and by unanimous consent, said bill was amended in words following:

Line 4, section 1, after the word "canal" insert "and in place of the present canal bridge at such point now needing repairs."

Strike out the word "to" at end of line 8, section 1, and insert "for the payment of the expenses of lock tending and the."

After the word "ordinary," line 9, section 1, insert "or extraordinary."

After the word "bridge," line 11, section 1, insert "and the said village shall construct the approaches thereto, and grade the street."



Strike out the word "and" at end of line 11, and the word "maintaining" at commencement of line 12.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Andrews	Deane	Lindsay	Sheridan
Baker, B. F.	Dougherty	Low	Sherman
Baker, C. S.	Douglass	McAvoy	Shuit
Beach	Duell	McCabe	Sisson
Beates	Duguid	McCarthy	Skinner
Bennett	Ellis	McDonald	Slingerland
Bradley	Evans	Mead	Steele
Brennan	Ferris	Miller	Strait
Bridges	Fish	Mitchell	Tallmadge
Brodsky	Fiske	Mooers	Terry
Bullock	Gorsline	Morgan	Titus
Carpenter, E. A.	Gray	Newman	Travis
Carpenter, I. S.	Griggs	Nowlan	Treanor
Chamberlain	Hagan	O'Brien	Tuthill, H. H.
Chase	Havens	Peck	Tuttle, R. M.
Chickering	Hayes	Phillips	Van Valkenburgh
Childs	Hoffman	Potter	Warner
Clark	Howland	Potts	Waterbury
Clowes	Hurd	Rhodes	Wells, D. A.
Comstock	Husted	Roberts	Wells, J. L.
Cookinham	Ingersoll	Root	Wren
Crapser	Kennedy	Sanders	Youngs
Curtis	Lefever	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed April 14, 1877," with a message that they have non-concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act to amend chapter 628 of the Laws of 1866, entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer,'" with a message that they have concurred in the passage of the same with the following amendments :

Add at end of section 1 the words "as such court shall direct, the report of said commissioners to be final."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Dougherty	McAvoy	Seeley
Andrews	Douglass	McCabe	Shanley
Baker, B. F.	Duell	McCarthy	Sherman
Baker, O. S.	Duguid	McDonald	Shuit
Beach	Ellis	Mead	Sisson
Beates	Evans	Miller	Skinner
Benedict, E. D.	Ferris	Mitchell	Slingerland
Bennett	Fish	Mooers	Steele
Bradley	Fiske	Morgan	Strait
Brennan	Gorsline	Newman	Tallmadge
Bridges	Gray	Nowlan	Terry
Brodsky	Griggs	O'Brien	Titus
Bullock	Grosse	O'Connor	Travis
Carpenter, E. A.	Hayes	Peck	Treanor
Carpenter, I. S.	Hoffman	Phillips	Tuthill, H. H.
Case	Howland	Pitcher	Tuttle, R. M.
Chamberlain	Hurd	Potter	Van Valkenburgh
Chase	Husted	Potts	Warner
Chickering	Ingersoll	Rhodes	Waterbury
Childs	Kennedy	Roberts	Wells, D. A.
Clark	Lefever	Root	Wells, J. L.
Clowes	Liddle	Russell	Wren
Davis	Lindsay	Sanders	Youngs
Deane	Low		

Those who voted in the negative, were

Cohen

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 795, general orders No. 986, entitled "An act allowing actions brought in Marine Court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hayes offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 627, entitled "An act to provide for excavating, tunneling and bridging for transportation purposes within villages and cities of the State," be made a special order for Thursday, May 13, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Slingerland offered for the consideration of the House a privileged resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly

bill No. 227, entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the town of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,'" for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Rhodes offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That the Assembly adjourn on Friday, May 14, at 12 M.

*Ordered*, That the same be laid on the table.

Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading,

Mr. Speaker stated that the hour of two having arrived, the House would take a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Davis	Lindsay	Sherman
Baker, C. S.	Deane	Low	Sipp
Beates	Dougherty	McAvoy	Sisson
Benedict, E. D.	Douglass	McCabe	Skinner
Benedict, T. E.	Duell	McTernan	Slingerland
Bradley	Ellis	Mead	Strait
Brennan	Evans	Mitchell	Terpeny
Bridges	Fiske	Mooers	Terry
Brodsky	Fitzgerald	Morgan	Titus
Bullock	Gibbs	O'Connor	Treanor
Carpenter, E. A.	Gorsline	Parker	Tully
Chickering	Gray	Phillips	Tuthill, H. H.
Cohen	Griggs	Potts	Tuttle, R. M.
Comstock	Hagan	Rhodes	Waterbury
Congdon	Havens	Root	Wells, D. A.
Cookinham	Hoffman	Russell	Wells, J. L.
Costello	Kennedy	Seeley	Wren
Crapser	Lefever	Shanley	Mr. Speaker
Cullinan			

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A quorum being present,

Mr. Speaker stated the pending question to be upon the passage of Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same."

Said bill being announced for a third reading,

Mr. Mitchell moved to strike out all after the word "market" in line 7, section 3, down to and including the word "therefor," in line 9.

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill as deemed proper, and report said bill back to the House complete, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Mitchell to recommit said bill, and it was determined in the affirmative.

The bill entitled "An act authorizing the incorporation of Villa Park and suburban homestead associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 85 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Sanders
Andrews	Costello	Hurd	Seeley
Baker, C. S.	Cullinan	Ingersoll	Sheridan
Beach	Curtis	Kennedy	Sherman
Beates	Cushing	Lefever	Shuit
Bennett	Davis	Liddle	Sipp
Bradley	Dougherty	Low	Sisson
Brennan	Douglass	McAvoy	Skinner
Bridges	Duell	McDonald	Slingerland
Brodsky	Duguid	McTernan	Steele
Bullock	Ellis	Mead	Strait
Carpenter, I. S.	Evans	Miller	Tallmadge
Case	Ferris	Mitchell	Terpeny
Chamberlain	Fish	Mooers	Terry
Chase	Fiske	Morgan	Titus
Chickering	Gibbs	Nowlan	Travis
Childs	Gray	Peck	Treanor
Clark	Griggs	Phillips	Tuthill, H. H.
Clowes	Havens	Pitcher	Waterbury
Cohen	Hayes	Root	Wells, D. A.
Comstock	Hoffman	Russell	Wells, J. L.
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Case offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor asking him to return Assembly bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to unpaid taxes and water assessments in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 97 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Rhodes
Andrews	Costello	Howland	Roberts
Baker, B. F.	Crapser	Hurd	Root
Baker, C. S.	Cullinan	Ingersoll	Sanders
Beach	Curtis	Kennedy	Seeley
Beates	Cushing	Lefever	Sherman
Benedict, E. D.	Davis	Liddle	Shuit
Bennett	Deane	Lindsay	Sipp
Bradley	Dougherty	Low	Sisson
Brennan	Douglass	McAvoy	Skinner
Bridges	Duell	McCabe	Slingerland
Brodsky	Duguid	McCarthy	Strait
Bullock	Ellis	Mead	Tallmadge
Carpenter, E. A.	Evans	Miller	Terpeny
Carpenter, I. S.	Ferris	Mitchell	Terry
Case	Fish	Mooers	Titus
Chamberlain	Fiske	Morgan	Travis
Chase	Gibbs	Nowlan	Treanor
Chickering	Gorsline	O'Connor	Tuthill, H. H.
Childs	Gray	Parker	Varnum
Clark	Griggs	Potts	Waterbury
Clowes	Grosse	Phillips	Wells, D. A.
Cohen	Havens	Pitcher	Wells, J. L.
Comstock	Hayes	Potts	Wiley
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,  
 ALBANY, *May* 11, 1880.

*To the Assembly:*

. In pursuance of a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 193, entitled "An act to establish and maintain a police force in the city of Troy."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members, being present.

{ AYES 68 }  
 { NOES 13 }

Those who voted in the affirmative, were

Alvord	Clowes	Hoffman	Potts
Andrews	Comstock	Howland	Root
Baker, B. F.	Congdon	Hurd	Russell
Baker, C. S.	Cookinham	Ingersoll	Sherman
Beach	Cullinan	Kennedy	Skinner
Bradley	Curtis	Lefever	Slingerland
Brennan	Davis	Liddle	Tallmadge
Brodsky	Deane	Lindsay	Terry
Bullock	Douglass	Low	Titus

the vote by which Senate bill entitled "An act to establish a State board of health" was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sherman
Andrews	Costello	Kennedy	Sipp
Baker, B. F.	Cullinan	Lefever	Skinner
Baker, C. S.	Curtis	Liddle	Strait
Beates	Cushing	Low	Tallmadge
Benedict, E. D.	Davis	McCabe	Terry
Bennett	Deane	Miller	Thilemann
Bradley	Douglass	Mitchell	Titus
Brennan	Duell	Mooers	Travis
Bridges	Evans	Morgan	Tuthill, H. H.
Brodsky	Fiske	Nowlan	Tuttle, R. M.
Bullock	Fitzgerald	O'Brien	Van Valkenburgh
Carpenter, I. S.	Gray	Parker	Varnum
Case	Grosse	Phillips	Warner
Chamberlain	Hagan	Pitcher	Waterbury
Chase	Havens	Potter	Wells, D. A.
Chickering	Hayes	Root	Wells, J. L.
Childs	Howland	Russell	Wren
Clark	Hurd	Sanders	Youngs
Comstock	Husted	Seeley	Mr. Speaker

Those who voted in the negative, were

Clancy	Ellis	McTernan	Tully
Crapser	Gorsline	Shuit	Walsh
Dougherty	Hoffman	Slingerland	Wiley

Mr. Travis moved to recommit said bill to the committee on public health, with instructions to amend the same in words following, and report forthwith:

Add at end of section 7, "And the State board of health shall also prepare the necessary methods and forms, and prescribe the rules regulating the issue and use of transfer permits, with the proper coupons attached thereto, to be issued by local organized boards of health, for the transportation of the dead bodies of persons which are to be carried for burial beyond the limits of the counties where the death occurs, and in all cases the said State board of health shall require coupons to be attached to such permits to be detached and preserved by the common carrier, or the person in charge of any vessel, railroad train or vehicle to whom any such dead body shall be delivered for transportation. Any violation of such rules and regulations shall be a misdemeanor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bullock, from the committee on public health, reported said bill back, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Root
Andrews	Davis	Lefever	Russell
Baker, B. F.	Deane	Liddle	Sanders
Baker, C. S.	Douglass	Lindsay	Seeley
Beach	Duell	Low	Sherman
Beates	Evans	McAvoy	Sipp
Bradley	Ferris	McCabe	Skinner
Brennan	Fish	Mead	Strait
Brodsky	Fiske	Miller	Tallmadge
Bullock	Fitzgerald	Mitchell	Terry
Carpenter, E. A.	Gray	Mooers	Titus
Carpenter, I. S.	Griggs	Morgan	Travis
Case	Hagan	Nowlan	Tuttle, R. M.
Chamberlain	Havens...	O'Brien	Van Valkenburgh
Chase	Hayes	Parker	Varnum
Chickering	Hoffman	Phillips	Warner
Clark	Howland	Pitcher	Waterbury
Comstock	Hurd	Potter	Wells, D. A.
Cookinham	Husted	Potts	Wells, J. L.
Costello	Ingersoll	Roberts	Youngs
Cullinan			

Those who voted in the negative, were

Cohen	Shanley	Slingerland	Tully
Gorsline	Shuit		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 270 of the Laws of 1878, entitled 'An act re-appropriating money for the payment of sums due to contractors for new work upon and extraordinary repairs of the canals,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Ingersoll	Sherman
Andrews	Deane	Kennedy	Shuit
Baker, B. F.	Dougherty	Lefever	Sipp
Beach	Douglass	Liddle	Sisson
Beates	Duell	Low	Skinner
Benedict, E. D.	Duguid	McCabe	Slingerland
Benedict, T. E.	Ellis	Miller	Strait
Bennett	Evans	Mitchell	Tallmadge
Bradley	Fish	Mooers	Terry
Bridges	Fiske	Morgan	Titus



Brodsky	Fitzgerald	Newman	Travis
Bullock	Gibbs	Parker	Treanor
Carpenter, E. A.	Gorsline	Phillips	Tully
Chamberlain	Gray	Pitcher	Tuttle, R. M.
Chase	Griggs	Potts	Varnum
Clark	Hagan	Root	Warner
Clowes	Havens	Russell	Waterbury
Cookinham	Hayes	Seeley	Wells, D. A.
Costello	Hoffman	Shanley	Wren
Cullinan	Howland	Sheridan	Mr. Speaker
Curtis	Hurd		

**Ordered,** That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alverd	Davis	Liddle	Sherman
Andrews	Deane	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Beach	Douglass	McAvoy	Sisson
Beates	Duell	McCabe	Skinner
Bennett	Ellis	Miller	Steele
Bradley	Evans	Mooers	Strait
Bridges	Ferris	Morgan	Tallmadge
Brodsky	Fiske	Newman	Terpeny
Bullock	Fitzgerald	Nowlan	Terry
Carpenter, E. A.	Gorsline	O'Brien	Titus
Carpenter, I. S.	Gray	Parker	Travis
Chamberlain	Griggs	Phillips	Treanor
Chase	Grosse	Pitcher	Tuttle, R. M.
Childs	Havens	Potter	Varnum
Clark	Hoffman	Potts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Costello	Husted	Sanders	Wren
Curtis	Kennedy	Seeley	Youngs
Cushing	Lefever		

**Ordered,** That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Seeley
Andrews	Cushing	Lefever	Shanley
Baker, B. F.	Davis	Liddle	Shuit
Beach	Deane	Lindsay	Sipp
Beates	Dougherty	Low	Sisson
Benedict, E. D.	Douglass	McAvoy	Skinner
Benedict, T. E.	Duell	McCabe	Slingerland
Bennett	Ellis	Miller	Strait
Bridges	Ferris	Mooers	Tallmadge
Brodaky	Fish	Morgan	Terpeny
Bullock	Fiske	Newman	Titus
Carpenter, E. A.	Gibbs	Nowlan	Travis
Carpenter, I. S.	Gorsline	O'Brien	Tully
Case	Gray	O'Connor	Tuttle, R. M.
Chase	Griggs	Parker	Van Valkenburgh
Chickering	Hagan	Potter	Waterbury
Childs	Havens	Potts	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Cohen	Hurd	Russell	Wren
Comstock	Husted	Sanders	Youngs
Congdon	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists, and to organize a missionary board and define its powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Sherman
Andrews	Deane	Liddle	Shuit
Baker, B. F.	Dougherty	Lindsay	Sipp
Beach	Douglass	Low	Sisson
Beates	Duell	McAvoy	Skinner
Benedict, E. D.	Duguid	McCabe	Slingerland
Bridges	Ellis	Miller	Steele
Brodsky	Ferris	Mooers	Tallmadge
Bullock	Fish	Morgan	Terpeny
Carpenter, E. A.	Fiske	Newman	Terry
Carpenter, I. S.	Gorsline	Nowlan	Titus
Case	Gray	O'Brien	Travis
Chase	Griggs	O'Connor	Tully
Chickering	Hagan	Parker	Tuttle, R. M.
Childs	Havens	Pitcher	Van Valkenburgh
Clark	Hayes	Potter	Varnum
Clowes	Hoffman	Potts	Waterbury
Cohen	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Cookinham	Husted	Sanders	Wren
Curtis	Ingersoll	Seeley	Youngs
Cushing	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bridges offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That there be printed 3,500 copies of the Annual Report of the Superintendent of the Insurance Department for the year ending December 31, 1879, bound in cloth as follows : 2,000 copies of the fire and marine reports, and 1,500 copies of the life report, bound separately ; also, ten copies of the full report for each member, and one copy to each officer and reporter of this Legislature ; the whole expense thereof to be paid by the Comptroller, upon the certificate of the Superintendent of the Insurance Department from the surplus fund arising from the excess of moneys paid into the treasury of this State by the Superintendent of the Insurance Department over and above the amounts disbursed on account of said department ; the price for said work not to exceed ten cents per page per 100 copies.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lindsay, and by unanimous consent, said bill was substituted for Assembly bill No. 355, now on order of third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to revise and amend title 11 of chapter 271 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof."

"An act in relation to Furman street, in the city of Brooklyn."

"An act in relation to 111th street between 5th and 6th avenues, in the city of New York."

"An act protecting fish in certain waters of the State."

"An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists,' and to organize a missionary board, and to define its powers and duties."

"An act for the incorporation of mutual tontine annuity societies."

"An act for the relief of certain persons engaged in the practice of dentistry in this State."

"An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca."

"An act providing for the compensation of the county judge and the surrogate of the county of Oneida."

"An act to encourage improvement in steam propulsion upon the Champlain canal."

The hour of six o'clock having arrived, the House adjourned.

## WEDNESDAY MORNING, MAY 12, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. J. Griffiths, Rhinebeck.

The journal of yesterday was read and approved.

Privileges of the floor were granted to the Hon. Judson Pringle, a former member of this House.

Mr. Ingersoll moved to lay all orders of business on the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to suppress tippling and the drink trade in the counties of Allegany and Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Deane	Liddle	Shuit
Baker, C. S.	Douglass	Low	Sipp
Beach	Duell	Miller	Sisson
Beates	Duguid	Mooers	Skinner
Bradley	Ellis	Morgan	Steele
Brennan	Ferris	Nowlan	Tallmadge
Bullock	Fish	O'Brien	Terpeny
Carpenter, E. A.	Fiske	O'Connor	Titus
Case	Gibbs	Parker	Tozier
Chamberlain	Gorsline	Peck	Travis
Chickering	Gray	Phillips	Treanor
Childs	Griggs	Pitcher	Tuthill, H. H.
Clark	Hagan	Potts	Tuttle, R. M.
Clowes	Hoffman	Root	Varnum
Congdon	Howland	Russell	Waterbury
Cookinham	Hurd	Sanders	Wells, D. A.
Crapser	Husted	Seeley	Weston
Cullinan	Kennedy	Shanley	Youngs
Curtis			

Those who voted in the negative, were

Brotsky	Costello	Fitzgerald	Newman
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the incorporation of mutual tontine annuity societies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 6 }

Those who voted in the affirmative, were

Andrews	Cullinan	Howland	Shuit
Baker, O. S.	Curtis	Ingersoll	Sipp
Beach	Cushing	Kennedy	Sisson
Beates	Deane	Liddle	Skinner
Benedict, E. D.	Duell	Lindsay	Steele
Benedict, T. E.	Ellis	Low	Tallmadge
Bennett	Evans	McCabe	Terpeny
Brennan	Ferris	McTernan	Titus
Bridges	Fish	Miller	Tozier
Brotsky	Fiske	Mitchell	Travis
Bullock	Fitzgerald	Morgan	Tully
Carpenter, E. A.	Gibbs	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Pitcher	Varnum
Case	Gray	Roberts	Waterbury
Clark	Griggs	Russell	Wells, D. A.
Clowes	Hagan	Seeley	Wells, J. L.
Congdon	Havens	Shanley	Weston
Cookinham	Hayes	Sherman	Wiley
Crapser			

Those who voted in the negative, were

Alvord	Childs	Costello	Potts
Bradley	Cohen		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Seeley
Andrews	Cookinham	Husted	Shanley
Baker, B. F.	Crapser	Ingersoll	Sherman
Baker, O. S.	Cullinan	Kennedy	Shuit
Beach	Curtis	Lefever	Sipp
Beates	Cushing	Liddle	Sisson
Benedict, E. D.	Dougherty	Lindsay	Skinner
Benedict, T. E.	Douglass	Low	Slingerland
Bradley	Duell	McCabe	Steele
Brennan	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brotsky	Ferris	Mooers	Terry
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fitzgerald	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gibbs	O'Brien	Varnum
Case	Gillette	Parker	Warner
Chamberlain	Gorsline	Peck	Waterbury

Chase	Griggs	Phillips	Wells, D. A.
Chickering	Hagan	Potts	Wells, J. L.
Childs	Havens	Roberts	Weston
Clark	Hayes	Root	Wiley
Cohen	Hoffman	Russell	Youngs
Comstock	Howland		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Shuit
Andrews	Curtis	McCabe	Sipp.
Baker, B. F.	Dougherty	Miller	Sisson
Baker, C. S.	Duell	Mitchell	Skinner
Beach	Duguid	Mooers	Slingerland
Beates	Ellis	Morgan	Steele
Benedict, E. D.	Evans	Newman	Strait
Benedict, T. E.	Ferris	Nowlan	Tallmadge
Bradley	Fish	O'Brien	Terpeny
Brennan	Fiske	O'Connor	Terry
Bridges	Fitzgerald	Parker	Thilemann
Brodsky	Gibbs	Peck	Tozier
Bullock	Gillette	Phillips	Travis
Carpenter, I. S.	Gorsline	Pitcher	Tully
Case	Gray	Potts	Tuthill, H. H.
Chamberlain	Griggs	Rhodes	Varnum
Chase	Hayes	Roberts	Walsh
Childs	Hoffman	Root	Warner
Clark	Howland	Russell	Waterbury
Clowes	Hurd	Sanders	Wells, D. A.
Cohen	Ingersoll	Seeley	Wells, J. L.
Comstock	Kennedy	Shanley	Weston
Congdon	Lefever	Sheridan	Wiley
Cookinham	Liddle	Sherman	Youngs
Crapser	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to change the name of, and in relation to, the Association for Befriending Children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sherman
Andrews	Cushing	Low	Shuit
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Dougherty	McCabe	Sisson
Beach	Douglass	McTernan	Skinner
Beates	Duell	Miller	Slingerland
Benedict, E. D.	Duguid	Mitchell	Steele
Benedict, T. E.	Ellis	Mooers	Strait
Bennett	Evans	Morgan	Tallmadge
Bradley	Ferris	Newman	Terpeny
Brennan	Fish	Nowlan	Terry
Bridges	Fitzgerald	O'Brien	Titus
Brodsky	Gibbs	O'Connor	Tozier
Bullock	Gillette	Peck	Tully
Carpenter, I. S.	Gorsline	Phillips	Tuthill, H. H.
Case	Gray	Pitcher	Tuttle, R. M.
Chamberlain	Griggs	Potter	Van Valkenburgh
Chase	Grosse	Potts	Varnum
Chickering	Hayes	Rhodes	Warner
Childs	Hoffman	Roberts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Cohen	Hurd	Russell	Wells, J. L.
Comstock	Ingersoll	Sanders	Weston
Congdon	Kennedy	Seeley	Wiley
Grapsen	Lefever	Shanley	Youngs
Cullinan	Liddle	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes, relating to town meetings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Duell	Miller	Tallmadge
Andrews	Duguid	Morgan	Terpeny
Beach	Evans	Newman	Terry
Beates	Fish	Nowlan	Thilemann
Benedict, E. D.	Fiske	O'Brien	Titus
Bridges	Gibbs	Rhodes	Tozier
Brodsky	Gillette	Roberts	Treanor
Bullock	Gray	Russell	Tully
Clark	Grosse	Sanders	Tuthill, H. H.
Clowes	Hayes	Seeley	Tuttle, R. M.
Cohen	Ingersoll	Shanley	Warner
Comstock	Kennedy	Sherman	Waterbury
Congdon	Lefever	Shuit	Wells, D. A.
Cookinham	Liddle	Sisson	Wells, J. L.



Costello	Low	Skinner	Weston
Cullinan	McCabe	Slingerland	Wiley
Cushing	McDonald	Steele	Youngs
Dougherty	Mead		

Those who voted in the negative, were

Benedict, T. E.	Crapser	Parker	Root
Case	Havens	Peck	Van Valkenburgh
Chamberlain	Mooers	Potts	Mr. Speaker
Childs			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 69 }  
} NOES 28 }

Those who voted in the affirmative, were

Alvord	Dougherty	Low	Tallmadge
Andrews	Duguid	McAvoy	Terpeny
Baker, C. S.	Evans	Morgan	Terry
Beach	Fiske	Newman	Thilemann
Beates	Fitzgerald	O'Brien	Titus
Bradley	Gibbs	Phillips	Tozier
Brodsky	Gillette	Roberts	Travis
Bullock	Gray	Russell	Treanor
Carpenter, E. A.	Hagan	Seeley	Tully
Case	Hayes	Shanley	Varnum
Chase	Hurd	Sheridan	Walsh
Clancy	Husted	Sherman	Waterbury
Clark	Ingersoll	Shuit	Wells, D. A.
Comstock	Kennedy	Sipp	Wells, J. L.
Cullinan	Lefever	Sisson	Wiley
Curtis	Liddle	Skinner	Wren
Cushing	Lindsay	Slingerland	Youngs
Davis			

Those who voted in the negative, were

Benedict, E. D.	Costello	Havens	O'Connor
Benedict, T. E.	Crapser	Hoffman	Parker
Bridges	Ferris	Howland	Peck
Chamberlain	Fish	Miller	Potts
Childs	Gorsline	Mitchell	Root
Cohen	Griggs	Mooers	Tuthill, H. H.
Congdon	Grosse	Nowlan	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the bill entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill entitled "An act prohibiting the sale or giving of spirituous liquors or wine to inmates of the New York State Soldiers and Sailors' Home."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' " for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting that he return to the Senate the bill, not printed, entitled "An act to legalize the acts of Frank M. Goff, a justice of the peace in the county of Monroe."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a message be sent to the Governor, requesting the return of Senate bill No. 94, entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Senate bill entitled "An act to secure uniform ballots and preserve the purity of elections," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Cullinan	Mitchell	Sipp
Andrews	Curtis	Mooers	Sisson
Baker, C. S.	Davis	Morgan	Slingerland
Beach	Deane	Newman	Steele

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Beates	Douglass	Nowlan	Tallmadge
Benedict, E. D.	Duell	O'Brien	Terry
Benedict, T. E.	Evans	Parker	Titus
Bradley	Ferris	Peck	Tozier
Bridges	Fish	Pitcher	Travis
Brodsky	Fiske	Potts	Tuthill, H. H.
Carpenter, E. A.	Gillette	Roberts	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Root	Van Valkenburgh
Case	Havens	Russell	Varnum,
Chamberlain	Howland	Sanders	Warner
Claney	Husted	Seeley	Waterbury
Clark	Kennedy	Shanley	Wells, D. A.
Comstock	Lefever	Sheridan	Wells, J. L.
Congdon	Low	Sherman	Weston
Cookinham	McCabe	Shuit	Youngs
Crapser	Miller		•

Those who voted in the negative, were

Cohen	Hayes	McDonald	Thilemann
Costello	Hoffman	O'Connor	Tully
Cushing	Ingersoll	Skinner	Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *April 27, 1880.* }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 54, entitled "An act to amend an act entitled 'An act to incorporate the Public Exchange,' passed April 22, 1868."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Shuit
Andrews	Curtis	Lindsay	Sipp
Baker, B. F.	Cushing	Low	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Dougherty	McCabe	Slingerland
Beates	Douglass	Miller	Steele
Benedict, E. D.	Duell	Mitchell	Strait
Bennett	Duguid	Mooers	Tallmadge
Bradley	Ellis	Morgan	Terpeny
Brennan	Evans	Nowlan	Terry
Bridges	Ferris	O'Brien	Titus
Brodsky	Fish	Parker	Tozier
Bullock	Fiske	Peck	Travis
Carpenter, E. A.	Gibbs	Phillips	Tully
Carpenter, I. S.	Gillette	Pitcher	Tuthill, H. H.
Case	Gorsline	Potts	Tuttle, R. M.

Chase	Gray	Rhodes	Varnum
Childs	Griggs	Roberts	Warner
Clark	Grosse	Root	Waterbury
Clowes	Hayes	Russell	Wells, D. A.
Cohen	Hoffman	Sanders	Wells, J. L.
Comstock	Howland	Seeley	Weston
Congdon	Hurd	Shanley	Wiley
Cookinham	Ingersoll	Sheridan	Wren
Costello	Kennedy	Sherman	Youngs
Crapser	Lefever		

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Add at end of first section the following: "nor to authorize said company to increase its capital stock to an amount exceeding five millions of dollars."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 71 }

Those who voted in the affirmative, were

Alvord	Douglass	Mooers	Skinner
Andrews	Duguid	Newman	Slingerland
Baker, B. F.	Evans	O'Brien	Steele
Baker, C. S.	Ferris	O'Connor	Strait
Beach	Fish	Parker	Tallmadge
Beates	Fiske	Peck	Terpeny
Brennan	Gillette	Phillips	Terry
Bridges	Hayes	Potts	Titus
Brodsky	Hoffman	Rhodes	Tozier
Bullock	Howland	Roberts	Travis
Carpenter, I. S.	Hurd	Root	Tully
Case	Husted	Russell	Tuttle, R. M.
Chase	Ingersoll	Sanders	Warner
Childs	Kennedy	Seeley	Waterbury
Clark	Lefever	Sheridan	Wells, D. A.
Congdon	Liddle	Sherman	Wells, J. L.
Crapser	Lindsay	Shuit	Weston
Cullinan	Low	Sipp	Wiley
Curtis	McCabe	Sisson	Youngs
Dougherty	McCarthy		

Those who voted in the negative, were  
Van Valkenburgh

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they assent to a committee of conference, and appoint as such committee on its part: Messrs. McCarthy, Braman and Jacobs.

Assembly bill entitled "An act to further amend chapter 459 of the Laws of 1862, entitled 'An act to prevent animals from running at large in the public highways, and the several acts amendatory thereof and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Clark	Griggs	Root
Andrews	Clowes	Hoffman	Russell
Baker, B. F.	Comstock	Hurd	Sanders
Baker, C. S.	Congdon	Husted	Seeley
Beach	Cookinham	Ingersoll	Sheridan
Beates	Crapser	Kennedy	Sherman
Benedict, E. D.	Cullinan	Lefever	Shuit
Bradley	Curtis	Liddle	Sipp
Brennan	Davis	Lindsay	Slingerland
Bridges	Deane	Low	Steele
Brodsky	Douglass	Mead	Tallmadge
Bullock	Duell	Miller	Titus
Carpenter, E. A.	Duguid	Mooers	Waterbury
Carpenter, I. S.	Ellis	Parker	Wells, D. A.
Case	Evans	Phillips	Wells, J. L.
Chamberlain	Ferris	Pitcher	Weston
Chase	Fiske	Potts	Youngs
Childs	Gorsline	Roberts	

Those who voted in the negative, were

Benedict, T. E.	Fish	Hayes	Sisson
Cohen	Fitzgerald	McAvoy	Skinner
Costello	Gibbs	Newman	Terry
Cushing	Gillette	O'Connor	Tully
Dougherty	Havens	Rhodes	Warner

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to vest in the board of supervisors certain additional powers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Sanders
Andrews	Deane	Lindsay	Seeley
Baker, C. S.	Dougherty	Low	Sheridan
Beach	Douglass	McAvoy	Sherman
Benedict, E. D.	Duell	McCabe	Shuit
Bennett	Duguid	McCarthy	Sipp
Brennan	Evans	Mead	Sisson
Bridges	Ferris	Miller	Skinner
Brodsky	Fish	Mooers	Slingerland
Bullock	Fiske	Morgan	Steele
Carpenter, I. S.	Gibbs	Newman	Strait
Case	Gillette	Nowlan	Tallmadge

Chase	Gorsline	O'Brien	Terry
Childs	Gray	O'Connor	Titus
Clark	Grosse	Peck	Varnum
Cohen	Hoffman	Phillips	Warner
Comstock	Howland	Potter	Waterbury
Cookinham	Hurd	Potts	Wells, D. A.
Costello	Husted	Rhodes	Wells, J. L.
Crapser	Ingersoll	Roberts	Wiley
Cullinan	Kennedy	Root	Wren
Curtis	Lefever	Russell	Youngs

Those who voted in the negative, were  
Benedict, T. E. Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize summary proceedings by mandamus against common carriers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sanders
Andrews	Cullinan	Lefever	Seeley
Baker, B. F.	Curtis	Liddle	Shanley
Baker, C. S.	Davis	Lindsay	Sherman
Beach	Deane	Low	Shuit
Beates	Douglass	McAvoy	Sipp
Benedict, E. D.	Duell	McCabe	Sisson
Bennett	Duguid	McCarthy	Skinner
Bradley	Evans	Mead	Slingerland
Brennan	Ferris	Miller	Steele
Bridges	Fish	Mitchell	Strait
Brodsky	Fiske	Morgan	Tallmadge
Bullock	Fitzgerald	Nowlan	Terry
Carpenter, I. S.	Gibbs	O'Brien	Titus
Case	Gillette	O'Connor	Tozier
Chamberlain	Gorsline	Parker	Tuttle, R. M.
Chase	Gray	Peck	Varnum
Childs	Griggs	Phillips	Warner
Clark	Grosse	Potts	Waterbury
Clowes	Hayes	Rhodes	Wells, D. A.
Cohen	Hoffman	Roberts	Wells, J. L.
Comstock	Hurd	Root	Weston
Congdon	Husted	Russell	Wiley
Cookinham	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, May 11, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 180, entitled "An act to establish a local court of civil

jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Russell
Andrews	Curtis	Kennedy	Sanders
Baker, B. F.	Davis	Lefever	Seeley
Baker, C. S.	Deane	Liddle	Shanley
Beach	Douglass	Lindsay	Sherman
Beates	Duell	Low	Shuit
Benedict, E. D.	Duguid	McAvoy	Sipp
Bennett	Ellis	McCabe	Sisson
Bradley	Evans	McCarthy	Skinner
Brennan	Ferris	Miller	Slingerland
Bridges	Fish	Mooers	Steele
Brodsky	Fiske	Morgan	Strait
Bullock	Fitzgerald	Newman	Tallmadge
Carpenter, E. A.	Gibbs	Nowlan	Terpeny
Carpenter, I. S.	Gillette	O'Brien	Terry
Case	Gorsline	O'Connor	Titus
Chase	Gray	Parker	Tozier
Childs	Griggs	Peck	Tuttle, R. M.
Clark	Grosse	Phillips	Varnum
Clowes	Hayes	Pitcher	Warner
Comstock	Hoffman	Potts	Waterbury
Congdon	Howland	Rhodes	Wells, D. A.
Cookinham	Hurd	Roberts	Wells, J. L.
Crapser	Husted	Root	Weston

On motion of Mr. Roberts, and by unanimous consent, said bill was amended in words following :

Section 1, lines 4 and 5, by striking out the words "Governor, by and with the advice and consent of the Senate," and inserting in lieu thereof "by the city attorney of the city of Buffalo, by and with the consent of the common council of said city."

Section 2, line 5, strike out the word "Governor" and insert in lieu thereof "city attorney ;" line 1, strike out the word "June" and insert "July."

Section 3, line 9, strike out the word "Governor" and insert "city attorney."

Section 5, lines 28 and 29, strike out the words "section 71 of the Code of Procedure" and insert in lieu thereof "the provisions of the Code of Civil Procedure."

Section 11, line 16, strike out the words "the common council of said city" and insert in lieu thereof "one of the judges of the superior court of Buffalo, after due notice to the judge imposing the fine."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a



majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Davis	Kennedy	Sherman
Baker, B. F.	Deane	Lefever	Shuit
Baker, C. S.	Dougherty	Liddle	Sipp
Beach	Douglass	Lindsay	Sisson
Beates	Duguid	Low	Skinner
Bradley	Evans	McCabe	Slingerland
Brennan	Ferris	Miller	Steele
Bridges	Fish	Mitchell	Tallmadge
Carpenter, E. A.	Fiske	Mooers	Terry
Carpenter, I. S.	Fitzgerald	Morgan	Titus
Case	Gillette	Nowlan	Tozier
Chamberlain	Gorsline	O'Brien	Travis
Chase	Gray	Phillips	Warner
Childs	Griggs	Pitcher	Waterbury
Clark	Grosse	Potts	Wells, D. A.
Comstock	Hayes	Roberts	Wells, J. L.
Congdon	Hoffman	Root.	Weston
Cookinham	Howland	Russell	Wren
Crapser	Hurd	Sanders	Youngs
Cullinan	Husted		

Those who voted in the negative, were

Benedict, E. D.	Havens	Newman	Thilemann
Benedict, T. E.	McAvoy	Rhodes	Walsh
Cohen	McCarthy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Root
Andrews	Davis	Lefever	Russell
Baker, B. F.	Deane	Liddle	Sanders
Baker, C. S.	Dougherty	Lindsay	Seeley
Beach	Douglass	Low	Sherman
Beates	Duell	McAvoy	Shuit
Benedict, E. D.	Duguid	McCabe	Sipp
Bradley	Ellis	McCarthy	Sisson
Brennan	Evans	McDonald	Skinner
Bridges	Ferris	McTernan	Slingerland
Brodsky	Fish	Mead	Steele
Bullock	Fiske	Miller	Strait
Carpenter, E. A.	Fitzgerald	Mitchell	Tallmadge

Carpenter, I. S.	Gibbs	Mooers	Terpeny
Case	Gillette	Newman	Terry
Chase	Gorsline	Nowlan	Titus
Childs	Gray	O'Brien	Tozier
Clark	Griggs	O'Connor	Travis
Cohen	Grosse	Parker	Tully
Comstock	Hayes	Peck	Waterbury
Congdon	Hoffman	Pitcher	Wells, D. A.
Cookinham	Howland	Potts	Wells, J. L.
Costello	Hurd	Rhodes	Weston
Crapser	Husted	Roberts	Wren
Cullinan	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES. 00 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Seeley
Andrews	Crapser	Kennedy	Shanley
Baker, B. F.	Cullinan	Lefever	Sherman
Baker, C. S.	Curtis	Liddle	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Sisson
Benedict, E. D.	Douglass	McCarthy	Skinner
Benedict, T. E.	Duell	McDonald	Slingerland
Bennett	Duguid	McTernan	Steele
Bradley	Ellis	Miller	Strait
Brennan	Ferris	Mitchell	Tallmadge
Bridges	Fish	Mooers	Terpeny
Brodaky	Fiske	Morgan	Terry
Bullock	Fitzgerald	Nowlan	Titus
Carpenter, E. A.	Gibbs	O'Brien	Tozier
Carpenter, I. S.	Gillette	Parker	Travis
Case	Gorsline	Peck	Tuthill, H. H.
Chamberlain	Gray	Phillips	Varnum
Chase	Griggs	Pitcher	Warner
Childs	Grosse	Potts	Waterbury
Clark	Hayes	Rhodes	Wells, D. A.
Clowes	Hoffman	Roberts	Wells, J. L.
Cohen	Howland	Root	Weston
Comstock	Hurd	Russell	Wren
Congdon	Husted	Sanders	Youngs
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 131 of the Laws of 1855, entitled 'An act to incorporate the trustees of the church erection fund of the General Assembly of the Presbyterian Church in the United States of America,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sheridan
Andrews	Curtis	Lefever	Sherman
Baker, B. F.	Cushing	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Douglass	McAvoy	Skinner
Benedict, E. D.	Duell	McCabe	Slingerland
Benedict, T. E.	Duguid	McCarthy	Steele
Bradley	Ellis	McDonald	Strait
Brennan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mitchell	Terry
Bullock	Fiske	Mooers	Titus
Carpenter, E. A.	Fitzgerald	Newman	Tozier
Carpenter, I. S.	Gibbs	Nowlan	Travis
Case	Gillette	O'Brien	Tully
Chamberlain	Gorsline	O'Connor	Tuthill, H. H.
Chase	Gray	Parker	Varnum
Childs	Griggs	Phillips	Warner
Clark	Grosse	Pitcher	Waterbury
Cohen	Hayes	Potts	Wells, D. A.
Comstock	Hoffman	Rhodes	Wells, J. L.
Congdon	Howland	Roberts	Weston
Cookinham	Hurd	Root	Wren
Costello	Husted	Russell	Youngs
Crapser	Ingersoll	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Seeley
Andrews	Cushing	Liddle	Shanley
Beach	Davis	Low	Sheridan
Beates	Deane	McAvoy	Sherman
Benedict, E. D.	Dougherty	McCabe	Shuit
Bradley	Duguid	McCarthy	Sipp
Bridges	Ferris	McTernan	Tallmadge

Brodsky	Fish	Mead	Terry
Bullock	Fiske	Miller	Thilemann
Carpenter, I. S.	Fitzgerald	Mooers	Tozier
Case	Gillette	Morgan	Travis
Chamberlain	Gorsline	Nowlan	Tuthill, H. H.
Chase	Gray	Parker	Varnum
Childs	Grosse	Phillips	Walsh
Clark	Hayes	Pitcher	Warner
Cohen	Hoffman	Rhodes	Wells, D. A.
Comstock	Howland	Roberts	Wells, J. L.
Congdon	Husted	Russell	Weston
Cookinham	Kennedy	Sanders	Youngs
Costello			

Those who voted in the negative, were

Cullinan	Potts	Titus	Tully
Mitchell	Skinner		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. E. A. Carpenter moved to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was concurred in.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Douglass	McCabe	Shuit
Andrews	Duell	Miller	Sipp
Beach	Duguid	Mitchell	Sisson
Benedict, E. D.	Ellis	Mooers	Skinner
Bradley	Fish	Morgan	Slingerland
Brodsky	Gibbs	Newman	Steele
Bullock	Gillette	Nowlan	Terpeny
Carpenter, E. A.	Gorsline	O'Brien	Thilemann
Carpenter, I. S.	Gray	Parker	Titus
Chamberlain	Grosse	Phillips	Tozier
Chase	Hayes	Pitcher	Travis
Clark	Hoffman	Potts	Tully
Cohen	Howland	Rhodes	Tuthill, H. H.
Comstock	Hurd	Roberts	Tuttle, R. M.
Congdon	Ingersoll	Root	Varnum
Costello	Kennedy	Russell	Warner
Crapser	Lefever	Sanders	Waterbury
Curtis	Liddle	Seeley	Wells, D. A.
Cushing	Lindsay	Shanley	Wells, J. L.
Davis	Low	Sheridan	Weston
Deane	McAvoy	Sherman	Wren
Dougherty			

Mr. E. A. Carpenter moved to amend said bill in words following:

Amend by inserting, in section 3, line 19, after the word "bay" "except so much thereof as is within the jurisdiction of the town of Islip, and not included in the Brookhaven and Smith patents."

Strike out, in section 3, line 22, after the word "waters" the words "and during the months of June and July no fish shall be taken by pound or trap-net in the waters of Gardiner's bay or Shelter Island sound."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Shanley
Andrews	Deane	Low	Sheridan
Beach	Dougherty	McAvoy	Sherman
Beates	Douglass	McCabe	Sipp
Bradley	Duell	McCarthy	Sisson
Bridges	Duguid	Miller	Skinner
Brodsky	Ellis	Mitchell	Tallmadge
Bullock	Evans	Mooers	Terpeny
Carpenter, E. A.	Fish	Morgan	Terry
Carpenter, I. S.	Fiske	Newman	Thilemann
Chamberlain	Fitzgerald	Nowlan	Titus
Chase	Gibbs	O'Connor	Tozier
Childs	Gillette	Parker	Treanor
Clark	Gorsline	Peck	Tuthill, H. H.
Comstock	Gray	Phillips	Tuttle, R. M.
Congdon	Hayes	Potter	Varnum
Cookinham	Hoffman	Potts	Warner
Costello	Howland	Rhodes	Waterbury
Crapser	Husted	Roberts	Wells, J. L.
Cullinan	Kennedy	Root	Weston
Curtis	Lefever	Russell	Wren
Cushing	Liddle	Seeley	Youngs

Those who voted in the negative, were

Grosse

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have non-concurred in the amendments adopted by the Senate, and request their concurrence therein, as amended.

Senate bill entitled "An act to confirm the title of Frederick J. Buchenberger to certain real estate in the city of Brooklyn purchased by him from the Centenary Universalist Sunday School Society of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sheridan
Andrews	Dougherty	Low	Sherman

Beach	Douglass	McAvoy	Shuit
Beates	Duell	McCabe	Sisson
Benedict, E. D.	Duguid	McCarthy	Skinner
Benedict, T. E.	Ellis	McTernan	Tallmadge
Bradley	Evans	Miller	Terpeny
Brodsky	Fish	Mitchell	Terry
Bullock	Fitzgerald	Mooers	Thilemann
Carpenter, E. A.	Gibbs	Morgan	Titus
Carpenter, I. S.	Gillette	Newman	Tozier
Chamberlain	Gorsline	Parker	Travis
Chase	Gray	Phillips	Tuttle, R. M.
Childs	Grosse	Pitcher	Varnum
Clark	Hayes	Potts	Warner
Comstock	Hoffman	Rhodes	Waterbury
Congdon	Howland	Roberts	Wells, D. A.
Cookinham	Husted	Root	Wells, J. L.
Crapser	Kennedy	Russell	Weston
Curtis	Lefever	Seeley	Wren
Cushing	Liddle	Shanley	Youngs
Davis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bixby (introductory No. 295), entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act relating to certain local improvements in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lindsay	Sherman
Andrews	Davis	Low	Shuit
Baker, C. S.	Deane	McAvoy	Sipp
Beach	Douglass	McCabe	Skinner
Beates	Duguid	McDonald	Slingerland
Benedict, T. E.	Ellis	Miller	Steele
Bradley	Evans	Mooers	Tallmadge
Bridges	Ferris	Morgan	Terry
Brodsky	Fish	Newman	Thilemann
Bullock	Fiske	Nowlan	Titus
Carpenter, E. A.	Gillette	O'Brien	Tozier
Carpenter, I. S.	Gorsline	O'Connor	Travis
Chamberlain	Gray	Peck	Tully
Chase	Havens	Phillips	Tuttle, R. M.
Childs	Hayes	Pitcher	Varnum
Clark	Hoffman	Potter	Warner
Comstock	Howland	Potts	Waterbury

Congdon	Husted	Roberts	Wells, D. A.
Cookinham	Ingersoll	Root	Wells, J. L.
Costello	Kennedy	Russell	Weston
Crapser	Lefever	Seeley	Wren
Cullinan	Liddle	Sheridan	Youngs
Curtis			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lindsay	Shuit
Andrews	Davis	Low	Sipp
Baker, B. F.	Deane	McAvoy	Sisson
Baker, C. S.	Douglass	McCabe	Skinner
Beates	Duell	McDonald	Steele
Benedict, E. D.	Ellis	McTernan	Tallmadge
Bennett	Ferris	Miller	Terpeny
Bradley	Gibbs	Mooers	Terry
Bridges	Gillette	Morgan	Titus
Brodsky	Gorsline	Newman	Tozier
Bullock	Gray	O'Brien	Travis
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Chamberlain	Hagan	Phillips	Tuttle, R. M.
Chickering	Havens	Pitcher	Varnum
Clark	Hayes	Potts	Waterbury
Clowes	Hoffman	Roberts	Wells, D. A.
Comstock	Howland	Root	Wells, J. L.
Congdon	Husted	Russell	Weston
Cookinham	Kennedy	Sanders	Wren
Crapser	Lefever	Seeley	Youngs
Cullinan	Liddle	Sherman	

*Ordered*. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sheridan
Andrews	Dougherty	McCabe	Sherman
Beach	Douglass	McCarthy	Shuit



Beates	Ellis	Miller	Sisson
Benedict, E. D.	Evans	Mitchell	Skinner
Benedict, T. E.	Ferris	Mooers	Slingerland
Bradley	Fish	Morgan	Steele
Bridges	Fiske	Newman	Tallmadge
Brodsky	Gibbs	Nowlan	Terpeny
Bullock	Gillette	O'Brien	Terry
Carpenter, I. S.	Gorsline	Parker	Titus
Chamberlain	Gray	Peck	Tozier
Childs	Grosse	Phillips	Travis
Cohen	Havens	Pitcher	Tuthill, H. H.
Comstock	Hayes	Potts	Tuttle, R. M.
Congdon	Hoffman	Rhodes	Warner
Cookinham	Howland	Roberts	Waterbury
Costello	Husted	Root	Wells, D. A.
Crapser	Kennedy	Russell	Wells, J. L.
Curtis	Lefever	Sanders	Weston
Cushing	Liddle	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the investment of moneys applicable to the redemption of bonds of the town of Westport, Essex county, New York, on real estate security," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Seeley
Andrews	Cullinan	Lefever	Sheridan
Baker, B. F.	Curtis	Liddle	Sherman
Baker, C. S.	Cushing	Lindsay	Shuit
Beach	Davis	Low	Sipp
Beates	Deane	McAvoy	Sisson
Benedict, E. D.	Dougherty	McCabe	Skinner
Bradley	Douglass	McCarthy	Slingerland
Brennan	Duell	McDonald	Steele
Bridges	Duguid	McTernan	Strait
Brodsky	Ellis	Mead	Tallmadge
Bullock	Evans	Miller	Terpeny
Carpenter, E. A.	Ferris	Mooers	Terry
Carpenter, I. S.	Fish	Morgan	Titus
Case	Fiske	Nowlan	Tozier
Chamberlain	Gillette	O'Brien	Travis
Chase	Gorsline	Parker	Van Valkenburgh
Childs	Gray	Peck	Warner
Clark	Griggs	Phillips	Waterbury
Cohen	Hayes	Potts	Wells, D. A.
Comstock	Hoffman	Rhodes	Wells, J. L.
Congdon	Howland	Root	Weston
Cookinham	Husted	Russell	Wren
Costello	Ingersoll	Sanders	Youngs

Those who voted in the negative, were

Grosse

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sherman
Andrews	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sipp
Beach	Douglass	McCabe	Sisson
Beates	Duell	McCarthy	Skinner
Bradley	Duguid	McDonald	Slingerland
Brennan	Ellis	McTernan	Steele
Bridges	Evans	Miller	Strait
Brodsky	Ferris	Mooers	Tallmadge
Bullock	Fish	Morgan	Terpeny
Carpenter, E. A.	Fiske	Newman	Titus
Carpenter, I. S.	Gibbs	Nowlan	Tozier
Chamberlain	Gillette	O'Brien	Travis
Chase	Gorsline	Parker	Tully
Childs	Gray	Peck	Tuttle, R. M.
Clark	Grosse	Phillips	Varnum
Clowes	Hayes	Pitcher	Walsh
Cohen	Hoffman	Potts	Warner
Comstock	Howland	Rhodes	Waterbury
Oongdon	Hurd	Roberts	Wells, D. A.
Cookinham	Husted	Root	Wells, J. L.
Crapser	Ingersoll	Russell	Weston
Cullinan	Kennedy	Sanders	Wren
Curtis	Lefever	Shanley	Youngs
Cushing	Liddle	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica, passed May 2, 1837, to alter the bounds, and to enlarge the powers of the corporation of said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Baker, B. F.	Deane	Lindsay	Sipp

Baker, C. S.	Dougherty	Low	Sisson
Beach	Douglass	McAvoy	Skinner
Beates	Duell	McCabe	Slingerland
Bradley	Duguid	McCarthy	Steele
Brennan	Ellis	McDonald	Strait
Bridges	Evans	Miller	Tallmadge
Brodsky	Ferris	Mitchell	Terpeny
Bullock	Fish	Mooers	Terry
Carpenter, E. A.	Fiske	Nowlan	Titus
Carpenter, I. S.	Gibbs	O'Brien	Tozier
Chamberlain	Gillette	Parker	Travis
Chase	Gorsline	Peck	Tuttle, R. M.
Childs	Gray	Phillips	Van Valkenburgh
Clark	Grosse	Potts	Varnum
Clowes	Hayes	Roberts	Warner
Cohen	Hoffman	Root	Waterbury
Comstock	Howland	Russell	Wells, D. A.
Congdon	Hurd	Sanders	Wells, J. L.
Crapser	Husted	Seeley	Weston
Cullinan	Ingersoll	Shanley	Wren
Curtis	Kennedy	Sheridan	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the supervisors of the town of Attica, in Wyoming county, to purchase lots of the Attica Cemetery Association, and to remove to and reinter therein the bodies now remaining in the old burial ground in the village of Attica; to sell said old burial ground, and to defray the expense of removing the bodies therefrom and reintering the same in the new grounds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Andrews	Curtis	Lefever	Shanley
Baker, B. F.	Cushing	Liddle	Sherman
Baker, C. S.	Davis	Lindsay	Shuit
Beach	Deane	Low	Sipp
Beates	Dougherty	McAvoy	Sisson
Benedict, E. D.	Douglass	McCabe	Skinner
Benedict, T. E.	Duell	McCarthy	Slingerland
Bradley	Duguid	McDonald	Steele
Brennan	Ellis	McTernan	Strait
Bridges	Evans	Mead	Tallmadge
Brodsky	Ferris	Miller	Terpeny
Bullock	Fish	Mitchell	Terry
Carpenter, E. A.	Fiske	Mooers	Titus
Carpenter, I. S.	Gibbs	Morgan	Tozier
Case	Gillette	Nowlan	Travis
Chamberlain	Gorsline	O'Brien	Tuttle, R. M.
Chase	Gray	Parker	Van Valkenburgh
Childs	Griggs	Peck	Varnum

Clark	Grosse	Phillips	Warner
Clowes	Hayes	Potts	Waterbury
Cohen	Hoffman	Rhodes	Wells, D. A.
Comstock	Howland	Roberts	Wells, J. L.
Congdon	Hurd	Root	Weston
Cookinham	Husted	Russell	Wren
Costello	Ingersoll	Sanders	Youngs
Crapser			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to arrears of personal taxes in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McAvoy	Sisson
Beates	Dougherty	McCabe	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Bennett	Duell	McDonald	Steele
Bradley	Duguid	McTernan	Strait
Brennan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terpeny
Brodsky	Fish	Mooers	Terry
Bullock	Fiske	Nowlan	Thilemann
Carpenter, E. A.	Gibbs	O'Brien	Titus
Carpenter, I. S.	Gillette	O'Connor	Tozier
Chamberlain	Gorsline	Parker	Travis
Chase	Gray	Peck	Walsh
Childs	Griggs	Phillips	Warner
Clark	Hayes	Pitcher	Waterbury
Clowes	Hoffman	Potts	Wells, D. A.
Cohen	Howland	Roberts	Wells, J. L.
Comstock	Hurd	Root	Weston
Congdon	Husted	Sanders	Wren
Cookinham	Ingersoll	Seeley	Youngs
Costello	Kennedy	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize Long Island City to issue bonds or certificates of indebtedness to an amount not exceeding fifty per cent of sums due for arrears of taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sherman
Andrews	Deane	Low	Shuit
Baker, B. F.	Douglass	McAvoy	Sipp
Baker, C. S.	Duell	McCabe	Sisson
Beach	Duguid	McCarthy	Skinner
Beates	Ellis	McDonald	Slingerland
Benedict, E. D.	Evans	McTernan	Steele
Bennett	Ferris	Mead	Strait
Bradley	Fish	Miller	Tallmadge
Brennan	Fiske	Mooers	Terpeny
Bridges	Gibbs	Morgan	Terry
Brodsky	Gillette	Nowlan	Thilemann
Bullock	Gorsline	O'Brien	Titus
Carpenter, E. A.	Gray	O'Connor	Tozier
Carpenter, I. S.	Griggs	Parker	Travis
Chamberlain	Grosse	Peck	Tuttle, R. M.
Chase	Hayes	Potts	Varnum
Clark	Hoffman	Roberts	Warner
Clowes	Howland	Root	Waterbury
Cohen	Hurd	Russell	Walls, D. A.
Comstock	Husted	Sanders	Wells, J. L.
Cookinham	Ingersoll	Seeley	Weston
Crapser	Kennedy	Shanley	Wren
Cullinan	Lefever	Sheridan	Youngs
Curtis	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to 111th street, between 5th and 6th avenues, in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 107 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Cushing	Lindsay	Shuit
Baker, B. F.	Davis	Low	Sipp
Baker, C. S.	Deane	McAvoy	Sisson
Beach	Dougherty	McCabe	Skinner
Beates	Douglass	McCarthy	Slingerland
Benedict, E. D.	Duell	McDonald	Steele
Bennett	Duguid	McTernan	Strait
Bradley	Ellis	Mead	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Ferris	Mooers	Terry
Bredsky	Fish	Morgan	Thilemann
Bullock	Fiske	Newman	Titus
Carpenter, E. A.	Fitzgerald	Nowlan	Tozier
Carpenter, I. S.	Gibbs	O'Brien	Travis
Case	Gillette	O'Connor	Treanor
Chamberlain	Gray	Parker	Van Valkenburgh
Chase	Griggs	Peck	Varnum

Clark	Hagan	Pitcher	Walsh
Clowes	Hayes	Potts	Warner
Cohen	Hoffman	Rhodes	Waterbury
Comstock	Howland	Roberts	Wells, D. A.
Congdon	Hurd	Root	Wells, J. L.
Cookinham	Husted	Sanders	Weston
Costello	Ingersoll	Seeley	Wren
Crapser	Kennedy	Shanley	Youngs
Cullinan	Lefever	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading, Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Strike out from first section the words "and on that portion of the present site of West Washington Market, in said Third ward of said city, which is not required for the widening of West street, and west of the present site of West Washington Market, from the line of Fulton street on the south to the line of Vesey street on the north, to the established exterior pier line."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Mr. Cohen moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Douglass	McAvoy	Sherman
Andrews	Duell	McCabe	Shuit
Baker, C. S.	Ellis	McCarthy	Sipp
Bennett	Evans	Miller	Tallmadge
Bradley	Fiske	Mooers.	Terpeny
Brennan	Fitzgerald	Morgan	Terry
Brodsky	Gibbs	Newman	Thilemann
Bullock	Gillette	Nowlan	Titus
Carpenter, E. A.	Gorsline	O'Brien	Tozier
Carpenter, I. S.	Gray	O'Connor	Travis
Case	Griggs	Peck	Treanor
Chase	Grosse	Phillips	Tully
Comstock	Hagan	Potts	Van Valkenburgh
Cookinham	Hoffman	Rhodes	Varnum
Costello	Howland	Roberts	Walsh
Crapser	Hurd	Root	Warner
Cullinan	Kennedy	Russell	Waterbury
Curtis	Liddle	Sanders	Wells, J. L.
Cushing	Lindsay	Shanley	Weston
Davis	Low	Sheridan	Wren

Those who voted in the negative, were

Chamberlain  
Deane

Dougherty  
Ferris

Mitchell  
Pitcher

Seeley  
Tuttle, R. M.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid on the table and ordered printed.

(*See Doc. No. 136.*)

The Senate returned the Assembly bill entitled "An act in relation to the government of the city of Brooklyn," with a message that they have passed the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

Section 1. Within thirty days after the passage of this act, the mayor and comptroller shall meet at the mayor's office and shall agree upon and appoint eight assessors to hold office as hereinafter provided, two for each term; and they shall also agree upon and appoint a proper person to be the head of the department of police and excise, and designated the commissioner of police and excise; and the said mayor and comptroller shall also agree upon and appoint a proper person who shall be the head of the department of city works and designated the commissioner of said department; also two proper persons to be commissioners of excise; also a proper person who shall be the head of the fire department and designated as the commissioner of said department; also a proper person who shall be the head of the department of buildings and to be designated the commissioner thereof; also a proper person who shall be the head of the department of health and designated as the commissioner of said department; and the president of the department of police and excise and the president of the board of aldermen shall thereupon cease to be members of the board of health of said city; the said mayor and comptroller shall also agree upon and appoint a proper person to be president of the department of assessment, who, together with the eight assessors appointed as hereinbefore provided, shall constitute the department of assessment; and in case they shall fail to agree upon one or more of said appointments, for a period of thirty days after the passage of this act, then and in that case no further action shall be taken thereon by the said mayor and comptroller, but such appointments as shall not have been agreed upon and made shall be made by the mayor alone on the first Monday of January, 1882. Each of the persons so appointed by the mayor and comptroller shall take the oath of office and file the same with the city clerk, together with his official bond, as now prescribed by law, to be approved by the mayor and comptroller, and thereupon the persons so appointed shall respectively take and hold the office to which each shall have been so appointed until the first day of February, 1882, except that the assessors shall hold office as hereinafter provided; and the persons so appointed by the mayor alone shall in like manner take the oath of office and file their bonds and hold office for a term as provided in section six of this act; and upon the making of the appointments respectively provided for in this section the term of office of the present presidents and other heads of said departments respectively and of the present assessors shall cease and determine, and thereafter all the powers, duties, obligations,



rights and privileges of the heads of the said several departments, as now prescribed by law, shall devolve upon the heads of such departments, respectively, appointed under this act.

§ 2. The said two commissioners of excise shall act on all matters relating to excise with the commissioner of police and excise to be appointed pursuant to this act and in respect to all matters of excise, but not of police, shall each possess the same power as the said commissioner of police and excise, who, nevertheless, shall be president of the commissioners of excise and the head thereof. Their successors shall be appointed in the manner and for the term prescribed in section 6 of this act. As to the present department of fire and buildings, all the powers, duties, obligations, rights and privileges of said department relating to the extinguishing of fires, or in any wise appertaining thereto, shall, upon the appointment and qualification of the said fire commissioner, be vested in the head of the fire department, and all the powers, duties, obligations, rights and privileges of said department of fire and buildings relating to the erection, alteration and repair of buildings, or in any wise appertaining thereto, shall be vested exclusively in the commissioner of buildings to be appointed as provided by section 1 of this act, and who shall organize and constitute a department of buildings; and the appointment of either the fire commissioner or commissioner of buildings shall become valid only upon the appointment and qualification of both said commissioners; and the appointment of the commissioners of police and excise and the two commissioners of excise shall become valid only upon the appointment and qualification of the said three commissioners respectively; and the appointment of the said eight assessors shall become valid only upon the appointment and qualification of all said assessors.

§ 3. Two of the said assessors to be appointed by the mayor and comptroller shall be appointed to hold office until the first day of September, 1882, two until the first day of September, 1883, two until the first day of September, 1884, and two until the first day of September, 1885; the salary of the president of the board of assessors shall be at the rate of \$4,000 per year, and after the year 1880, the salary of the president of the board of aldermen shall be at the rate of \$1,000 per year. The salary of the said two commissioners of excise shall be at the rate of \$2,500 per annum. The salary of the said commissioner of buildings shall be at the rate of \$3,000 per annum. The salary of the commissioners of police and excise and of city works, respectively, to be appointed as by this act provided, shall be the same as that of the present presidents of the said departments respectively; the salary of the fire commissioner and the health commissioner shall be the same as that of the president of the department of fire and buildings, and the present president of the department of health respectively. To meet any necessary expenses of the said department of buildings for the remainder of the year 1880, it shall be the duty of the comptroller to transfer from the funds raised for the department of fire and buildings to the credit of an account to be opened for the said department of buildings, such moneys as have been raised and appropriated for the purpose of overseeing the construction, alteration and repair of buildings.

§ 4. No person shall be appointed as herein provided unless he is an elector of said city at the time of his appointment. The head of each of said departments (except the department of assessment) shall have

power to designate and appoint, and at pleasure remove a person in his department as his deputy or first assistant; and the person so designated as deputy or first assistant shall, during the absence or inability of the head of the department by whom he was appointed, have power to perform all the ordinary duties of such head of department, except the power to make appointments, subject, however, to such restrictions or regulations as may be provided by the head of the department so appointing him. All official business of the said several departments shall be transacted at the offices of the said departments, and a continuous record or minute shall be kept at the said offices, respectively, of such business.

§ 5. Any vacancy in any office in the city of Brooklyn, including the board of education, which shall occur prior to January 1, 1881, by expiration of the term of office or otherwise, shall be filled by the mayor and comptroller, and all vacancies occurring during the year 1881, through death, resignation or removal from office prior to the expiration of the term for which an officer shall have been appointed, shall be filled by the mayor alone, and all power now conferred by law upon the mayor with consent of the common council to appoint any person in said city is hereby abolished. All vacancies occurring during the term for which an officer shall have been appointed shall be filled only for the unexpired term of such officer.

§ 6. After the first day of January, 1882, the mayor of the city of Brooklyn shall have sole and exclusive power to appoint the successor of any commissioner or other head of department (except the department of finance and the department of audit), or of any assessor or member of the board of education of said city, when the terms of such officers shall respectively expire or as by law may then or thereafter be required to be appointed, and the term of office of such appointees and their successors, except assessors, whose term shall be for four years, shall be for two years; provided, however, that if the mayor shall refuse or neglect, for a period of thirty days after the expiration of the term of any officer, to make an appointment to office authorized to be made pursuant to this section, then and in that case such refusal or neglect shall be adjudged and deemed to be in all respects equivalent to and taken as an express appointment of the commissioner or other officer who may at the time be holding such office.

§ 7. The officer or officers at the head of any department may appoint and remove his or their clerks and assistants and other subordinates, and fix their salaries; provided, however, that on and after the expiration of thirty days from the time when a new officer or officers shall have been appointed as such head of department, he or they may remove clerks or assistants only upon filing in writing the reasons for any removal with the city clerk, which reasons shall not be questioned in any other place except that foremen, inspectors and laborers temporarily employed under the department of city works may be removed at any time at the pleasure of the head of such department.

No person employed on the police force or on the force for extinguishing fires shall be removed without cause, and then only after a public trial by the head of his department, and after having been found guilty of misconduct or neglect of duty, or having been adjudged incapable of performing his duty; the evidence on such trial shall be taken in full, and kept as a public record.

§ 8. Any officer who by the express terms of this act shall be deprived of his office shall be entitled to receive his salary in the same manner as if this act had not been passed up to the expiration of his present term of office, but if such officer shall accept any other office he shall receive no additional compensation unless the salary attached to such other office shall be larger than that of the office which he shall hold at the time of the passage of this act, in which case he shall receive the salary only which is affixed to such other office. The mayor may suspend any officer appointed under the provisions of this act, provided he shall forthwith serve in writing upon the person suspended the charges and specifications upon which such suspension has been made, and on a notice of not less than five nor more than ten days, served upon the mayor by the person so suspended. The special term of the Supreme Court shall forthwith hear the proofs and arguments on such charges and specifications, and determine thereon if such suspended officer should be removed, and the judgment of such special term that such officer be removed, affirmed by the general term of the Supreme Court, shall remove the person so suspended from office from the date of his suspension; but if the judgment of the special term, or of the general term of the Supreme Court, shall be against such removal, such suspension shall thereupon cease; provided that the mayor may appeal from a judgment of the special term favorable to the accused to the general term, and the general term may reverse the judgment of the special term, and find judgment of removal against the accused officer, if in its judgment justice so requires. The mayor may, if the interests of the city require it, make a temporary appointment during such suspension.

§ 9. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 10. This act shall take effect immediately.

Mr. Russell moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 76 {  
} NOES 26 {

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Shuit
Andrews	Curtis	Lefever	Skinner
Baker, C. S.	Davis	Liddle	Slingerland
Beach	Deane	Lindsay	Steele
Beates	Douglass	Low	Terry
Bradley	Duell	McCabe	Titus
Brennan	Duguid	Miller	Tozier
Bridges	Evans	Mitchell	Travis
Brodsky	Ferris	Mooers	Tuttle, R. M.
Bullock	Fish	Morgan	Van Valkenburgh
Carpenter, E. A.	Fiske	Nowlan	Varnum
Carpenter, I. S.	Gillette	Peck	Warner
Case	Gorsline	Pitcher	Waterbury
Chamberlain	Gray	Potts	Wells, D. A.
Chase	Griggs	Roberts	Wells, J. L.

Comstock	Grosse	Russell	Weston
Congdon	Howland	Sanders	Wren
Cookinham	Husted	Seeley	Youngs
Crapser	Ingersoll	Sheridan	Mr. Speaker

Those who voted in the negative, were

Benedict, E. D.	Dougherty	McTernan	Tallmadge
Benedict, T. E.	Ellis	Newman	Terpeny
Bennett	Gibbs	O'Connor	Thilemann
Clancy	Havens	Parker	Treanor
Cohen	Hoffman	Rhodes	Tully
Costello	McAvoy	Shanley	Walsh
Cushing	McCarthy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor recalling for amendment Assembly bill No. 164, entitled "An act in relation to keeping open the offices of register, county clerk and treasurer of the county of Westchester."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act for the appointment of game and fish protectors," being announced for a third reading,

On motion of Mr. Weston, and by unanimous consent, said bill was amended in words following:

Section 1, lines 2 and 3, strike out the words "to be selected equally from the two principal political parties of this State and to reside in and."

Mr. Crapser moved to recommit said bill to the committee on ways and means, with instruction to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

After debate,

Mr. Weston moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 30 }

Those who voted in the affirmative, were

Alvord	Costello	Liddle	Tallmadge
Andrews	Cushing	Low	Terry
Baker, C. S.	Davis	McDonald	Titus
Beach	Dougherty	McTernan	Tozier
Beates	Douglass	Miller	Treanor
Benedict, E. D.	Duell	Mitchell	Tully
Bradley	Duguid	Morgan	Tuttle, R. M.

Brennan	Fiske	Newman	Van Valkenburgh
Brodsky	Fitzgerald	O'Brien	Varnum
Bullock	Gibbs	Potter	Walsh
Carpenter, E. A.	Gillette	Rhodes	Warner
Carpenter, I. S.	Gorsline	Roberts	Waterbury
Chase	Grosse	Sanders	Wells, D. A.
Ohickering	Hagan	Seeloy	Wells, J. L.
Clark	Hayes	Shanley	Weston
Clowes	Hurd	Sheridan	Youngs
Congdon	Husted	Skinner	Mr. Speaker
Cookinham	Ingersoll		

Those who voted in the negative, were

Benedict, T. E.	Cullinan	Howland	Potts
Bridges	Curtis	Lefever	Root
Case	Ellis	Lindsay	Russell
Chamberlain	Ferris	McAvoy	Shuit
Childs	Fish	Mooers	Sipp
Cohen	Griggs	Nowlan	Slingerland
Comstock	Havens	O'Connor	Steele
Crapser	Hoffman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Van Valkenburgh offered for the consideration of the House a privileged resolution in words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 326, general orders No. 352, entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 527, printed No. 472, entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" reported in favor of the passage of the same, with amendments as follows:

Section 4, line 3, insert before the words "said board" the words "section 4;" same line, after the word "constituted" insert "and its successors."

Line 4, strike out the word "board" and insert "body;" same line, after the first word "to" insert "and shall have and exercise exclusive power, in said city of Brooklyn, over the removal and burial of the dead, the maintenance and operating of an ambulance service for the speedy removal of sick and injured persons."

Section 3, line 3, insert before the words "said board" the words "section five."

Section 4, line 3, before the word "the" insert "section seven."

Line 5, after the word "health" insert "the removal and burial of the dead, the maintenance of an ambulance service."

Line 6, after the word "Brooklyn" insert "or."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 801, printed No. 680, entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease,' passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties," reported in favor of the passage of the same, with amendment as follows:

Amend the title by striking out after the word "repeal" the words "an act" and insert "chapter 74 of the Laws of 1866."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 808, printed No. 685, entitled "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,'" passed May 9, 1868, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 61, strike out the word "conceived" and insert "exercised."

Also amend the title by striking out the words "passed May 9th, 1868."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 832, printed No. 704, entitled "An act to incorporate the 'Empire Yacht Club' of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 445, printed No. 407, entitled "An act to amend section 1323 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 701, printed No. 609, entitled "An act to prevent the sale of any adulterated article as cider vinegar," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1113, G. O. 926, not printed, entitled "An act to further amend chapter 143 of the Laws of 1861, relating to the charter of the city of Rochester," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 248, printed No. 231, entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 607, printed No. 535, entitled "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river," reported in favor of the passage of the same, without amendment.



Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 963, printed No. 780, entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 349, entitled "An act to incorporate 'The Rochester Electro-Medical Institute,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 317, entitled "An act for the protection of sureties on the bonds of contractors with municipal corporations," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 385, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 765, printed No. 177, entitled "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto," reported in favor of the passage of the same, without amendment.

Mr. Husted moved to extend the time of this session for fifteen minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Superintendent of Insurance, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed 3,500 copies of the Annual Report of the Superintendent of the Insurance Department for the year ending December 31, 1879, bound in cloth, as follows: 2,000 copies of the Fire and Marine Reports, and 1,500 copies of the Life Report, bound separately; also, 10 copies of the full report for each member, and 1 copy to each officer and reporter of this Legislature; the whole expense thereof to be paid by the Comptroller, upon the certificate of the Superintendent of the Insurance Department, from the surplus fund arising from the excess of moneys paid into the treasury of this State by the Superintendent of the Insurance Department, over and above the amounts disbursed on account of said department; the price for said work not to exceed 10 cents per page per 100 copies.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Baker, C. S.  
Beach

Douglass  
Duell

McCarthy  
McTernan

Sisson  
Skinner



Beates	Fish	Miller	Slingerland
Bradley	Fiske	Mooers	Steele
Brennan	Fitzgerald	Morgan	Tallmadge
Bridges	Gillette	Newman	Terry
Brodsky	Gorsline	Nowlan	Thilemann
Bullock	Gray	O'Brien	Tozier
Carpenter, E. A.	Hagan	Peck	Travis
Carpenter, I. S.	Havens	Phillips	Treaner
Chase	Hayes	Potts	Tuttle, R. M.
Chickering	Hoffman	Rhodes	Van Valkenburgh
Clark	Hurd	Root	Varnum
Clowes	Husted	Russell	Warner
Comstock	Ingersoll	Seeley	Waterbury
Congdon	Kennedy	Shanley	Wells, D. A.
Costello	Lefever	Sheridan	Wells, J. L.
Cullinan	Liddle	Sherman	Weston
Davis	Low	Shuit	Wren
Deane	McAvoy	Sipp	

Those who voted in the negative, were  
Benedict, E. D.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Howland offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill, not printed, introductory No. 255, general orders No. 985, entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolutions:

Asking the return from the Governor of Assembly bill No. 519, entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" for amendment.

Also, asking the return from the Governor of Assembly bill No. 506, entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton."

Also, asking the return from the Governor of Assembly bill No. 210, entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration.'"

Also, asking the return from the Governor of Assembly bill No. 227, entitled "An act to further amend section 2 of chapter 39 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts

thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.' ”

*Ordered*, That the Clerk deliver said resolutions to the Governor.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print copies of the compilation of the local and special laws relating to the city of New York, reported in favor of the adoption of the following resolution :

*Resolved*, That there be printed and bound, in law binding, under the direction of the commission which prepared the same, 300 copies of the compilation of local and special laws relating to the city of New York, in two volumes, the same to be distributed by the commissioners to the heads of departments, judges of the courts, and others in said city ; the price of the same to be \$2.50 per volume, bound complete.

Mr. Alvord moved to amend said resolution by adding at end thereof : “ Provided that an appropriation be made by the board of estimate and apportionment in the city of New York for the payment of the same.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 36 }  
{ NOES 39 }

Those who voted in the affirmative, were

Alvord	Curtis	Miller	Sheridan
Bridges	Fish	Morgan	Shuit
Case	Gorsline	Newman	Sipp
Chamberlain	Gray	O'Brien	Terry
Childs	Havens	Phillips	Titus
Clark	Hoffman	Rhodes	Tozier
Clowes	Hurd	Russell	Travis
Congdon	Ingersoll	Seeley	Warner
Crapser	Low	Shanley	Waterbury

Those who voted in the negative, were

Brodsky	Dougherty	Husted	Sherman
Carpenter, E. A.	Duell	Kennedy	Skinner
Chickering	Duguid	Liddle	Tallmadge
Olanoy	Ellis	McAvoy	Thilemann
Cohen	Fiske	McCarthy	Treanor
Costello	Fitzgerald	McDonald	Varnum
Cullinan	Gibbs	O'Connor	Walsh
Cushing	Grosse	Parker	Wells, J. L.
Davis	Hagan	Peck	Weston
Deane	Hayes	Roberts	

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

{ AYES 46 }  
{ NOES 17 }

Those who voted in the affirmative, were

Brodsky	Duguid	Liddle	Sheridan
Carpenter, E. A.	Ellis	McAvoy	Sherman
Carpenter, I. S.	Fiske	McCarthy	Skinner
Chickering	Fitzgerald	Mitchell	Tallmadge
Clark	Gibbs	Mooers	Thilemann
Clowes	Grosse	Newman	Titus

Cohen	Hagan	O'Connor	Treanor
Cullinan	Hayes	Parker	Varnum
Davis	Hoffman	Root	Walsh
Deane	Husted	Russell	Wells, J. L.
Dougherty	Ingersoll	Shanley	Weston
Duell	Kennedy		

Those who voted in the negative, were

Alvord	Childs	Morgan	Sipp
Andrews	Curtis	Phillips	Tozier
Beach	Fish	Rhodes	Travis
Benedict, E. D.	Miller	Shuit	Waterbury
Bridges			

Mr. Brodsky moved to reconsider the vote by which said resolution was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and at two o'clock and thirty minutes, the House took a recess until half-past four P. M.

### HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The Senate sent for concurrence the following resolutions:

*Resolved*, That a respectful message be sent to the Assembly, requesting the return of Senate bill No. 317, entitled "An act for the protection of sureties in the bonds of contractors with municipal corporations."

Mr. Speaker put the question whether the House would agree to return said bill, and it was determined in the affirmative.

*Ordered*, That the Clerk return said bill to the Senate.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, recalling Senate bill No. 109, entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street in the village of Palmyra," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate returned the resolution recalling from the Governor Assembly bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," with a message that they had concurred in the passage of the same."

*Ordered*, That the Clerk deliver said resolution to the Governor.

The Senate sent for concurrence the bills entitled as follows:

"An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last State census exceeded 400,000."

Mr. Varnum moved that said bill be referred to the New York and Kings county members, with power to report complete at any time.

Mr. Alvord moved to amend that said bill be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

} AYES 72 }  
} NOES 43 }

Those who voted in the affirmative, were

Baker, B. F.	Evans	Mead	Strait
Benedict, E. D.	Ferris	Mitchell	Tallmadge
Benedict, T. E.	Fiske	Mooers	Thilemann
Bennett	Fitzgerald	Morgan	Titus
Brodsky	Gibbs	Newman	Treanor
Carpenter, E. A.	Gillette	O'Brien	Tully
Carpenter, I. S.	Gray	O'Connor	Tuthill, H. H.
Chase	Griggs	Parker	Tuttle, R. M.
Clancy	Grosse	Pitcher	Van Valkenburgh
Clowes	Hagan	Potter	Varnum
Cohen	Havens	Potts	Walsh
Comstock	Hayes	Roberts	Waterbury
Costello	Hoffman	Russell	Wells, J. L.
Cullinan	Lindsay	Sanders	Weston
Cushing	McAvoy	Shanley	Wiley
Deane	McCarthy	Sheridan	Wren
Dougherty	McDonald	Shuit	Youngs
Duell	McTernan	Sipp	Mr. Speaker

Those who voted in the negative, were

Alvord	Congdon	Ingersoll	Root
Andrews	Cookinham	Kennedy	Sherman
Beach	Crapser	Lefever	Sisson
Beates	Curtis	Liddle	Skinner
Bradley	Davis	Low	Steele
Bullock	Douglass	McCabe	Terry
Case	Duguid	Miller	Tozier
Chamberlain	Fish	Nowlan	Travis
Chickering	Gorsline	Peck	Warner
Childs	Howland	Phillips	Wells, D. A.
Clark	Hurd	Rhodes	

Mr. Varnum then moved that said bill be referred to the New York and Kings county members, to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to restrict and regulate the right of the Brooklyn Elevated Railway Company to lay their rails easterly of Schenck avenue and to and through Woodhaven in the town of Jamaica, county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley said bill was ordered to a third reading.

"An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking, passed April 18, 1838,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in this State,'"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act repealing section 3 of chapter 135 of the Laws of 1876, entitled 'An act to authorize plank road and turnpike companies, formed under and by virtue of an act entitled 'An act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads, passed May 7, 1847, to extend their charter or corporate existence,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults, or any other structure in the cities of the State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McDonald said bill was substituted for Assembly bill No. 645, now on order of third reading.

"An act in relation to unpaid taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was ordered to a third reading, and referred to the Kings county delegation, retaining its place on order of third reading.

The Senate sent for concurrence the following resolution:

*Whereas*, The Congress of the United States has provided by law for celebrating the Hundredth Anniversary of the Treaty of Peace and the Recognition of American Independence, by holding an International Exhibition of arts, manufactures, and the products of the soil and mine, in the city of New York, in the State of New York, in the year 1883, subject always to the supervision and under the auspices of the Government of the United States; and,

*Whereas*, The great commercial metropolis of this State has been recognized as the appropriate place for such celebration and exhibition; and,

*Whereas*, Such celebration and exhibition will redound no less to the honor and glory than to the advantage and growth of this State; therefore, be it

*Resolved* (if the Assembly concur), We do hereby approve of the International Exhibition, to be held in the city of New York, in the year 1883, as above recited, and declare that such legislative action should be taken as may be necessary to insure its success, and to carry into effect the purposes of the said act of Congress.

On motion of Mr. Alvord, and by unanimous consent, said resolutions were adopted.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report on the State Museum of Natural History by the Regents of the University, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,500 copies of the Thirty-second Annual Report of the State Museum of Natural History, by

the Regents of the University, with the accompanying papers, be printed and bound for the use of the said Regents, and 300 copies, in like manner, for the use of the Director; all to be paid for according to the prices stipulated in the contract for extra copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 73 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Douglass	Liddle	Seeley
Andrews	Duell	Lindsay	Shanley
Beach	Duguid	Low	Sherman
Beates	Evans	McAvoy	Shuit
Brotsky	Ferris	McCabe	Sipp
Bullock	Fish	McCarthy	Sisson
Carpenter, I. S.	Fiske	McDonald	Slingerland
Case	Fitzgerald	Miller	Strait
Clanoy	Gibbs	Mitchell	Tallmadge
Clark	Griggs	Mooers	Terry
Clowes	Grosse	Newman	Titus
Comstock	Hayes	Nowlan	Travis
Congdon	Hoffman	Phillips	Treanor
Costello	Howland	Potter	Tuthill, H. H.
Cullinan	Husted	Potts	Van Valkenburgh
Cushing	Ingersoll	Rhodes	Warner
Davis	Kennedy	Roberts	Wells, J. L.
Deane	Lefever	Root	Youngs
Dougherty			

Those who voted in the negative, were

Benedict, E. D.	Chickering	Crapser	Havens
Benedict, T. E.	Cookinham	Ellis	Tozier
Bennett			

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Lefever offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, recalling Assembly bill No. 374, general orders No. 408, entitled "An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of their concurrence therein.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, under a resolution of the House, presented by Mr. C. S. Baker, reported the following bill:

"An act to establish a State court of claims and to define its powers and duties, and abolishing the board of audit and the office of canal appraiser," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheridan (introductory No. 1169), entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Sheridan, and by unanimous consent, said bill was referred to the sub-committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 284), entitled "Concurrent Resolution proposing an amendment to article 6 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 549), entitled "An act to amend article first of title 4 of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the formation of the board of inspectors and the appointment of clerks,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 952), entitled "An act to provide a public market in the city of Utica," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1151), entitled "An act to amend chapter 508 of the Laws of 1879, entitled 'An act to provide for the construction and maintenance of an additional public bath in the city of New York,' passed April 16, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Russell offered for the consideration of the House a resolution in the words following :

*Resolved*, That Senate bill No. 298, general orders No. 351, entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wren (introductory No. 444), entitled "An act to authorize the establishment of a children's park in the eastern district of the city of Brooklyn," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.



By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brennan (introductory No. ), entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent said bill was substituted for Senate bill No. 408, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sharpe (introductory No. 1156), entitled "An act to authorize the reading in all courts and proceedings of a compilation entitled 'The Special and Local Laws affecting Public Interest in the city of New York,' and declaring the effect thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Newman (introductory No. ), entitled "An act to provide for the payment of certain awards for the widening of Prospect avenue in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 297), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 298), entitled "An act to provide for perfecting and enlarging the system of sewerage of the city of Buffalo, and to ascertain the cost of such main or trunk sewers as are now needed, and the proper and equitable method of raising moneys to pay for their construction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 189), entitled "An act to provide for a further appropriation of money for the maintenance of the public parks of the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 243), entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was

referred the Senate bill (introductory No. 177), entitled "An act to alter the map or plan of the city of New York by widening a portion of 130th street," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 299), entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 246), entitled "An act to provide for the more economical opening of streets, avenues and roads in the city of New York," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodsky (introductory No. 1029), entitled "An act to establish a police pension fund for disabled and retired members and the widows and children of deceased members of the police department of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole, retaining its place on order of third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 239), entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was referred to the sub-committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 265), entitled "An act to amend section 1 of chapter 476, entitled 'An act to amend chapter 210 of the Laws of 1847, entitled 'An act to provide for the incorporation of companies and to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 301), entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Slingerland introduced a bill entitled "An act to amend chap-

ter 138 of the Laws of 1880, entitled 'An act making an appropriation to continue the work on the new Capitol building,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Slingerland, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act relative to purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage, passed May 9, 1873, and, also, amendatory of an act entitled 'An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage in such cases, passed June 2, 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Also, a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad companies, and to regulate the same, passed April 2, 1850,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Travis introduced a bill entitled "An act for the relief of Patrick Burns," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Francis, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Low introduced a bill entitled "An act to provide for appointment of a police justice in the village of Niagara Falls, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Tozier introduced a bill entitled "An act to incorporate the Knights of Maccabees of the World," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Cohen introduced a bill entitled "An act to amend chapter 194 of the Laws of 1874, entitled 'An act to prevent extortion by gas companies in the counties of New York and Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. McAvoy introduced a bill entitled "An act for the better laying out and improving of that portion of the city of New York between Tenth avenue and Avenue St. Nicholas and 138th street, continued, and the lands of the Academy of the Sacred Heart and 135th street, continued," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Cullinan introduced a bill entitled "An act to authorize the

postponement of the levy of a tax to pay bonds issued by the town of Volney, in the county of Oswego, to facilitate the construction of the New York and Oswego Midland Railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Liddle introduced a bill entitled "An act for the preservation of the public peace, the protection of private property, and the maintenance of law and good order in the First collection district of the town of Watervliet, in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to authorize Keeseville union free school district No. 1, of the towns of Ausable and Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor."

"An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess."

"An act to provide for repairing or rebuilding and enlarging the city hall in the city of Albany, for the use of said city and the use of the county of Albany, and to provide money for the payment therefor."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto.'"

"An act to declare Independence river, and its tributaries in Lewis and Herkimer counties, a public highway."

"An act authorizing the board of trustees of school district No. 3, of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river, near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof."

"An act for the preservation of lobsters."

"An act to amend an act entitled 'An act to prevent certain abuses upon the canals of this State.'"

"An act to amend section 236 of the Code of Civil Procedure."

"An act for the relief of the town of Somerset, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor."

"An act to release the interest of the people of this State in certain real estate of which Paul Pontaw, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson."

"An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central Railroad with which to pay the bonded indebtedness of such towns and cities."

"An act in relation to and reducing the number of justices of the peace, creating judicial districts, and providing for local interior courts in the city of Brooklyn."

*Ordered*, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Sipp moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 261, general orders No. 979, entitled "An act to improve Jackson avenue, in Long Island City," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 450, general orders No. 497, entitled "An act to prohibit persons engaged in the business of manufacturing and selling strong and spirituous liquors, wines, ales and beer from holding the office of coroner," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 664, general orders No. 778, entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes as provides for the appointment of poor-house keepers," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village, passed March 15, 1859, passed March 28, 1867.'"

“An act to amend chapter 367 of the Laws of 1878, entitled ‘An act to amend chapter 107 of the Laws of 1878, entitled ‘An act requiring justices of the peace to give bonds.’”

“An act to enable subordinate councils of the Royal Arcanum, in the State of New York, to take, hold and convey real and personal estate, and to exercise other powers.”

“An act to amend chapter 204 of the Laws of 1864, entitled ‘An act to amend and consolidate the several acts relating to the village of Lansingburgh.’”

“An act to amend section 2 of title 11 of chapter 8 of part 3 of the Revised Statutes, entitled ‘Of distraining cattle and other chattels doing damage, and of distraining in other cases.’”

“An act to incorporate the Friendship Association of the city of New York.”

“An act to amend chapter 40 of the Laws of 1848, entitled ‘An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.’”

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 368, entitled “An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled ‘Of sales by auctioneers,’” and that it be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 788, entitled “An act to amend chapter 681 of the Laws of 1873, entitled ‘An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,’” be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 195, entitled “An act to prevent trespassing and intrusion upon railroad cars and engines,” for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Comstock offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 220, general orders No. 267,



entitled "An act in relation to street railroads," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted moved to extend the time of this session one-half hour.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rhodes called from the table the resolution previously offered by him in words following :

*Resolved* (if the Senate concur), That the Legislature adjourn *sine die* on May 14, at 12 m.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from further consideration of Assembly bill No. 774, general orders No. 951, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," and that it be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill, general orders No. 588, entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 732, general orders No. 870, entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847,' " be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cookinham called from the table a resolution previously offered by him in words following :

*Resolved* (if the Senate concur), That this House will adjourn *sine die* on Friday, May 21, at 12 o'clock, noon.

Mr. Bradley moved to amend said resolution by striking out all after the word "Resolved," and insert in lieu thereof the following :

*Resolved* (if the Senate concur), This Legislature will take a recess from Thursday May 20, at 12 m., until Monday, November 1, at 8 P. M.

Mr. Husted moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And, at six o'clock and five minutes, the House adjourned.



## THURSDAY MORNING, MAY 13, 1880.

The House met pursuant to adjournment.

No clergyman being present,

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. D. R. Shiel, a former member of this House.

By unanimous consent,

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 401, entitled "An act for the relief of the Five Points House of Industry in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. O'Brien offered for the consideration of the House a resolution in the words following :

*Resolved*, That Assembly bill No. 735, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Peck introduced a bill entitled "An act to legalize the action of the town meeting of the town of DeKalb in St. Lawrence county, N. Y., held February 10, 1880 ; and the action of the board of town auditors of said town of DeKalb, had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Shuit, and by unanimous consent, the committee of the whole was discharged from the further consideration of the following Senate bills, and the same were ordered to a third reading :

"An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices."

"An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866.'"

By unanimous consent,

Mr. Hayes offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 769, entitled "An act providing for the appointment of an additional number of commission-

ers of deeds in the city of New York," and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 594, entitled "An act to provide for the rebuilding of the market known as Jefferson Market, in the city of New York," and that the same be ordered to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weston moved that all order of business be laid on the table down to order of business introduction of resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message was received from the Governor in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, {  
ALBANY, May 12, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sanders
Andrews	Cookinham	Kennedy	Shanley
Baker, B. F.	Orapser	Lefever	Sheridan
Baker, C. S.	Cullinan	Liddle	Sherman
Beach	Curtis	Lindsay	Shuit
Beates	Cushing	Low	Sipp
Benedict, E. D.	Davis	Mead	Sisson
Bennett	Deane	Miller	Skinner
Bradley	Douglass	Mitchell	Slingerland
Brennan	Duell	Mooers	Steele
Brodsky	Duguid	Morgan	Strait
Bullock	Evans	Newman	Tallmadge
Carpenter, E. A.	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	O'Brien	Travis
Case	Fiske	Parker	Treanor
Chamberlain	Gorsline	Peck	Tully
Chase	Gray	Phillips	Tuthill, H. H.
Chickering	Griggs	Pitcher	Warne
Childs	Grosse	Potts	Waterbury
Clanoy	Hayes	Rhodes	Wells, J. L.
Clark	Hoffman	Roberts	Weston
Cohen	Hurd	Root	Wren
Comstock	Husted	Russell	Youngs

On motion of Mr. Case, and by unanimous consent, said bill was amended in words following:

Strike out all after the word "the" in section 1, line 5, and insert in lieu thereof "right, title and interest to and in any lands for cemetery purposes which the said association would have possessed if it had not forfeited its right as a cemetery association."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Seeley
Andrews	Costello	Liddle	Shanley
Baker, B. F.	Crapser	Lindsay	Sherman
Baker, O. S.	Oullinan	Low	Shuit
Beach	Curtis	McAvoy	Sipp
Beates	Davis	McDonald	Sisson
Benedict, E. D.	Douglass	McTernan	Skinner
Benedict, T. E.	Duell	Mead	Slingerland
Bennett	Duguid	Miller	Steele
Bradley	Evans	Mitchell	Strait
Brennan	Ferris	Mooers	Tallmadge
Brodsky	Fish	Morgan	Tozier
Carpentier, E. A.	Gorsline	Newman	Travis
Carpenter, I. S.	Gray	Nowlan	Treanor
Case	Griggs	O'Brien	Tully
Chamberlain	Grosse	Peck	Tuthill, H. H.
Chase	Havens	Phillips	Tuttle, R. M.
Chickering	Hayes	Pitcher	Warner
Childs	Hoffman	Potts	Waterbury
Clark	Howland	Rhodes	Wells, D. A.
Clowes	Hurd	Roberts	Wells, J. L.
Cohen	Husted	Root	Weston
Comstock	Ingersoll	Russell	Wren
Congdon	Kennedy	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Phillips offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 496, general orders No. 563, entitled "An act to incorporate Alert Hose Company No. 3 of Medina, N. Y.," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to enable the First Baptist Church of Auburn to convey certain real estate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuttle, and by unanimous consent, said bill was ordered to a third reading.

"An act to incorporate the Saint Joseph's Cemetery in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was ordered to a third reading.

"An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate 'The Cathedral Chapter and Corporators of the Diocese of Western New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act in relation to cleaning the streets of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to regulate the dimensions and measurement of apple barrels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 12, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Shanley
Andrews	Cookinham	Ingersoll	Sherman
Baker, B. F.	Costello	Kennedy	Shuit
Baker, C. S.	Crapser	Lefever	Sipp
Beach	Cullinan	Liddle	Sisson
Beates	Curtis	Lindsay	Skinner
Benedict, E. D.	Davis	Low	Slingerland
Benedict, T. E.	Deane	Mead	Steele
Bennett	Douglass	Miller	Strait
Bradley	Duell	Mitchell	Tallmadge
Brennan	Duguid	Mooers	Terry
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis

Carpenter, E. A.	Fiske	O'Brien	Treanor
Carpenter, I. S.	Fitzgerald	Peck	Tuthill, H. H.
Case	Gorsline	Phillips	Tuttle, R. M.
Chamberlain	Gray	Pitcher	Warner
Chase	Griggs	Potts	Waterbury
Chickering	Grosse	Rhodes	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clancy	Hoffman	Root	Weston
Clark	Howland	Russell	Wren
Clowes	Hurd	Sanders	Youngs
Comstock			

On motion of Mr. Fiske, and by unanimous consent, said bill was amended in words following:

Engrossed bill, line 31, page 2, after the word "inquest" insert the following: "or in case where no medical certificate can be obtained, and no coroner's inquest has been held or required by law, such permit may be granted upon affidavit, duly verified by some person or persons known to the office granting such permit, stating the circumstances, time and cause of death, as nearly as the same can be ascertained;" same line, after the word "clerk," insert "or a justice of the peace or police justice."

Also, add the following as subdivisions 34 and 35:

"34. To establish a fire district in any unincorporated village in this State, and to authorize such district to procure a supply of water and to purchase apparatus for the extinguishment of fires therein, upon the application of thirty residents and freeholders of the proposed district; and to provide for the assessment, levy and collection of the cost thereof upon such district, in the same manner, at the same time, and by the same officers as the taxes of the town, in which such village is located, are assessed, levied and collected."

"35. To provide for and use all necessary means for the prevention of, and to prevent the spread of all infectious and contagious diseases, and for the payment of all expenses necessarily incurred therefor."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Douglass	McDonald	Slingerland
Beates	Duell	Mead	Steele
Benedict, E. D.	Duguid	Miller	Strait
Benedict, T. E.	Ellis	Mitchell	Tallmadge
Bennett	Evans	Mooers	Terry
Bradley	Ferris	Morgan	Titus
Brennan	Fish	Newman	Tozier
Bridges	Fiske	Nowlan	Travis
Brodsky	Fitzgerald	O'Brien	Treanor
Bullock	Gorsline	Peck	Tully

Carpenter, E. A.	Gray	Phillips	Tuthill, H. H.
Carpenter, I. S.	Griggs	Pitcher	Tuttle, R. M.
Case	Havens	Potts	Varnum
Chase	Hayes	Rhodes	Warner
Chickering	Hoffman	Roberts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Weston
Cookinham	Ingersoll	Seeley	Wren
Costello	Kennedy	Sherman	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 12, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,' " for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Shuit
Andrews	Congdon	Ingersoll	Sipp
Baker, B. F.	Cookinham	Kennedy	Sisson
Baker, C. S.	Costello	Lefever	Skinner
Beach	Crapser	Liddle	Slingerland
Beates	Cullinan	Lindsay	Steele
Benedict, E. D.	Curtis	Low	Strait
Benedict, T. E.	Davis	Miller	Tallmadge
Bennett	Deane	Mitchell	Terry
Bradley	Douglass	Mooers	Titus
Brennan	Duell	Morgan	Tozier
Bridges	Duguid	Newman	Travis
Brotsky	Evans	Nowlan	Treanor
Bullock	Ferris	O'Brien	Tully
Carpenter, E. A.	Fish	Peck	Tuthill, H. H.
Carpenter, I. S.	Fiske	Phillips	Tuttle, R. M.
Case	Gorsline	Pitcher	Varnum
Chamberlain	Gray	Potts	Warner
Chase	Griggs	Rhodes	Waterbury
Chickering	Grosse	Roberts	Wells, D. A.
Childs	Hayes	Root	Wells, J. L.

Clancy  
Clark  
Cohen

Hoffman  
Howland  
Hurd

Russell  
Sanders  
Shanley

Weston  
Wren  
Youngs

On motion of Mr. Slingerland, and by unanimous consent, said bill was amended in words following:

Section 1. Strike out from and after the word "adjoining," in the 23d line, down to and including the word "Albany" on line 25, being the following words:

"And after said period of fifteen years the taxes levied on such farming lands shall be one per centum less than the taxes levied on the other real and personal estate in the city of Albany."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Shanley
Andrews	Costello	Husted	Sherman
Baker, B. F.	Crapser	Ingersoll	Shuit
Baker, C. S.	Cullinan	Kennedy	Sipp
Beach	Curtis	Lefever	Sisson
Beates	Cushing	Liddle	Skinner
Benedict, E. D.	Davis	Low	Slingerland
Benedict, T. E.	Deane	Mead	Steele
Bennett	Douglass	Miller	Strait
Bradley	Duell	Mitchell	Tallmadge
Brennan	Duguid	Mooers	Terry
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Newman	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Brien	Treanor
Carpenter, I. S.	Fitzgerald	Peck	Tuthill, H. H.
Case	Gibbs	Phillips	Tuttle, R. M.
Chamberlain	Gorsline	Pitcher	Varnum
Chase	Gray	Potts	Waterbury
Chickering	Griggs	Rhodes	Wells, D. A.
Clark	Grosse	Roberts	Wells, J. L.
Cohen	Hayes	Root	Weston
Comstock	Hoffman	Russell	Wren
Congdon	Howland	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 12, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" for amendment.

ALONZO B. CORNELL



Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McDonald	Slingerland
Benedict, E. D.	Douglass	Mead	Steele
Benedict, T. E.	Duell	Miller	Strait
Bennett	Duguid	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terry
Brennan	Evans	Morgan	Titus
Bridges	Ferris	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Treanor
Carpenter, E. A.	Fitzgerald	Peck	Tully
Carpenter, I. S.	Gorsline	Phillips	Tuthill, H. H.
Case	Gray	Pitcher	Tuttle, R. M.
Chase	Griggs	Potts	Varnum
Chickering	Havens	Rhodes	Warner
Clark	Hayes	Roberts	Waterbury
Clowes	Hoffman	Root	Wells, D. A.
Cohen	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Husted	Seeley	Wren
Cookinham	Ingersoll	Shanley	Youngs
Costello			

On motion of Mr. Pitcher, and by unanimous consent, said bill was amended in words following:

Section 1, line 36, strike out the word "working" and insert in place thereof the word "making."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Cullinan	Lefever	Shuit
Baker, B. F.	Curtis	Liddle	Sipp
Baker, C. S.	Davis	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Dougherty	McDonald	Slingerland
Benedict, E. D.	Douglass	Mead	Steele
Benedict, T. E.	Duell	Miller	Strait
Bennett	Duguid	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terry

Brennan	Evans	Morgan	Titus
Bridges	Ferris	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	O'Brien	Treanor
Carpenter, E. A.	Fitzgerald	Peck	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Tuttle, R. M.
Case	Gray	Pitcher	Varnum
Chase	Griggs	Potts	Warner
Chickering	Hayes	Rhodes	Waterbury
Clark	Hoffman	Roberts	Wells, D. A.
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Weston
Congdon	Husted	Sanders	Wren
Cookinham	Ingersoll	Seeley	Youngs
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 12, 1880. }

*To the Assembly :*

In pursuance of a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York," for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Sherman
Andrews	Costello	Ingersoll	Shuit
Baker, B. F.	Crapser	Kennedy	Sipp
Baker, O. S.	Cullinan	Lefever	Sisson
Beach	Curtis	Liddle	Skinner
Beates	Davis	Low	Slingerland
Benedict, E. D.	Deane	McAvoy	Steele
Benedict, T. E.	Dougherty	McCabe	Strait
Bennett	Douglass	McDonald	Tallmadge
Bradley	Duell	Miller	Terry
Brennan	Duguid	Mitchell	Titus
Bridges	Ellis	Mooers	Tozier
Brodsky	Evans	Morgan	Travis
Bullock	Ferris	Newman	Treanor
Carpenter, E. A.	Fish	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fiske	O'Brien	Tuttle, R. M.
Case	Gorsline	Peck	Varnum
Chase	Gray	Phillips	Warner
Chickering	Griggs	Potts	Waterbury
Clark	Havens	Rhodes	Wells, D. A.
Clowes	Hayes	Roberts	Wells, J. L.
Cohen	Hoffman	Root	Weston
Comstock	Howland	Russell	Wren
Congdon	Hurd	Sanders	Youngs

On motion of Mr. D. A. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause and insert:

Section 1. The official acts of every justice of the peace heretofore done and performed, duly elected or appointed to the office, so far as such official acts may be affected, impaired or questioned, by reason of the failure of any such justice to take and subscribe to the official oath as required by law, are hereby legalized and confirmed.

§ 2. Nothing herein contained shall affect any suit or proceeding now pending.

§ . This act shall take effect immediately.

Change title so as to read: "An act to legalize the official acts of certain justices of the peace."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Shanley
Andrews	Costello	Husted	Sheridan
Baker, B. F.	Crapser	Lefever	Sherman
Baker, O. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Sipp
Beates	Cushing	Low	Sisson
Benedict, E. D.	Davis	McAvoy	Skinner
Benedict, T. E.	Deane	McCabe	Slingerland
Bennett	Douglass	McDonald	Steele
Bradley	Duell	Miller	Strait
Brennan	Duguid	Mooers	Tallmadge
Bridges	Ellis	Morgan	Titus
Brodsky	Evans	Newman	Tozier
Bullock	Ferris	Nowlan	Treanor
Carpenter, E. A.	Fish	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Pitcher	Tuttle, R. M.
Case	Gorsline	Potts	Varnum
Chase	Gray	•Rhodes	Waterbury
Chickering	Griggs	Roberts	Wells, D. A.
Clark	Grosse	Root	Wells, J. L.
Clowes	Hayes	Russell	Weston
Cohen	Hoffman	Sanders	Wren
Comstock	Howland	Seeley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
• ALBANY, May 11, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 515, entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy,

passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy and supplemental thereto," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costello	Ingersoll	Sanders
Andrews	Crapser	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Bennett	Duell	Miller	Steele
Bradley	Duguid	Mitchell	Tallmadge
Brennan	Ellis	Mooers	Titus
Bridges	Evans	Morgan	Tozier
Brodsky	Ferris	Newman	Travis
Carpenter, E. A.	Fish	Nowlan	Futhill, H. H.
Carpenter, I. S.	Gorsline	O'Brien	Tuttle, R. M.
Case	Gray	Peck	Varnum
Chase	Griggs	Phillips	Warner
Chickering	Grosse	Pitcher	Waterbury
Clancy	Hayes	Potter	Wells, D. A.
Clowes	Hoffman	Potts	Wells, J. L.
Comstock	Howland	Roberts	Weston
Congdon	Hurd	Root	Wren
Cookinham	Husted	Russell	Youngs

Those who voted in the negative, were

Rhodes

Mr. Comstock moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following, and report forthwith:

Amend engrossed bill by striking out the word "May," in section 3, and insert in lieu thereof the word "June."

After the 10th section of said act insert the following sections:

Section 11. Section 19 of chapter 30 of the Laws of 1880 is hereby amended so as to read as follows: The common council of said city shall, at its first regular meeting, not less than ten days after the passage of this act, elect and appoint six persons as commissioners of charities; two to hold office for one year, two to hold office for two years, and two to hold office for three years, who shall constitute a board to be styled the board of charities of the city of Troy. In voting for the said two persons to be elected and appointed commissioners, for a term of one year, no member of said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of votes cast shall thereupon be immediately declared elected and appointed, the said two commissioners of charities, who shall hold office for the term of one year.

The said common council shall immediately thereafter proceed to vote for two commissioners of charities, whose term of office shall be two years. In voting for the said two persons to be elected and appointed commissioners for the term of two years, no member of the said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed, the said two commissioners of charities, who shall hold office for the term of two years.

The said common council shall immediately thereafter proceed to vote for two commissioners of charities, whose term of office shall be three years. In voting for the said two persons to be elected and appointed commissioners of charities for a term of three years, no member of the said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed the said commissioners of charities, who shall hold office for the term of three years.

If the said meeting of the common council shall be adjourned without the said six commissioners of charities being elected, the said common council shall proceed, at its next meeting, with the said election, and the said common council shall not transact any other business until the said six commissioners of charities shall have been elected.

§ 12. Section 38 of chapter 30 of the Laws of 1880, is hereby amended so as to read as follows: In voting for the said two general assessors, as provided in the preceding section, no member of the said common council shall vote for more than one of said general assessors, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed the two general assessors for the said city, who shall hold office for the term of two years.

If the said meeting of the common council should be adjourned without the said two general assessors being elected, the said common council shall proceed, at its next meeting, with the said election, and the said common council shall not transact any other business except to elect and appoint the commissioners of the board of charities hereinbefore provided, until the said two general assessors shall have been elected.

Change the number of sections 11 and 12, as at present in bill, to numbers 13 and 14.

Mr. Varnum, from the committee on affairs of cities, reported said bill back, amended, as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 9 }

Those who voted in the affirmative, were

Andrews	Davis	Low	Sipp
Baker, B. F.	Deane	McAvoy	Sisson
Baker, C. S.	Douglass	McCabe	Skinner
Beach	Duell	McCarthy	Slingerland

Beates	Duguid	Miller	Steele
Bradley	Evans	Mitchell	Strait
Brennan	Ferris	Mooers	Tallmadge
Bridges	Fish	Morgan	Terry
Brodsky	Gorsline	Nowlan	Titus
Bullock	Gray	O'Brien	Tozier
Carpenter, E. A.	Griggs	Peck	Travis
Carpenter, I. S.	Grosse	Phillips	Tuthill, H. H.
Case	Hayes	Pitcher	Tuttle, R. M.
Chase	Howland	Potter	Varnum
Chickering	Hurd	Potts	Waterbury
Clowes	Husted	Roberts	Wells, D. A.
Comstock	Ingersoll	Root	Wells, J. L.
Congdon	Kennedy	Russell	Weston
Cookinham	Lefever	Sanders	Wren
Costello	Liddle	Sherman	Youngs
Curtis	Lindsay	Shuit	

Those who voted in the negative, were

Alvord	Cohen	Newman	Shanley
Benedict, E. D.	Ellis	Rhodes	Tully
Benedict, T. E.			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Andrews offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 365, entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" be substituted for Assembly bill with same title, general orders No. 925, now in its order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, engrossed bill, strike out the word "five" and insert "ten."

Strike out section 11 and insert the following:

Section 11. "These amendments shall apply to all tax sales heretofore made by the city of Buffalo against which the limitations as heretofore fixed has not run, and to the city tax sale of 1880."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McCarthy	Slingerland
Beates	Douglass	McDonald	Steele
Bradley	Duell	Miller	Strait

Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terry
Brodsky	Evans	Morgan	Titus
Bullock	Ferris	Nowlan	Tozier
Carpenter, E. A.	Fish	O'Brien	Travis
Carpenter, I. S.	Fitzgerald	Peck	Treanor
Case	Gorsline	Phillips	Tully
Chase	Gray	Pitcher	Tuthill, H. H.
Chickering	Griggs	Potter	Tuttle, R. M.
Clancy	Grosse	Potts	Varnum
Clark	Hayes	Rhodes	Warner
Clowes	Hoffman	Roberts	Waterbury
Cohen	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Weston
Cookinham	Ingersoll	Seeley	Wren
Costello	Kennedy	Sherman	Youngs
Crapser			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 558, general orders No. 637, entitled "An act establishing an agricultural experiment station," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved to lay all order of business on the table for the purpose of going into committee of the whole for the consideration of the bill entitled "An act to authorize a treaty with the Onondaga Indians."

Mr. Mitchell moved to amend in words following:

*Resolved*, That Assembly bill No. 483, entitled "An act to amend an act entitled 'An act to secure better administration in the police courts of the city of New York,' passed May 17, 1873," and Assembly bill No. 536, entitled "An act in relation to the removal or suspension of attorneys and counselors at law," be also considered in said committee.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to authorize a treaty with the Onondaga Indians."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McCarthy, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.



{ AYES 61 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Costello	McDonald	Sherman
Andrews	Curtis	Mead	Shuit
Baker, C. S.	Davis	Miller	Sisson
Beach	Duguid	Mitchell	Skinner
Beates	Ellis	Mooers	Steele
Benedict, E. D.	Gillette	Newman	Strait
Bennett	Gray	O'Brien	Tallmadge
Bradley	Hayes	Parker	Terry
Brennan	Hurd	Phillips	Tozier
Bridges	Husted	Pitcher	Travis
Brodsky	Ingersoll	Potter	Treanor
Chase	Liddle	Potts	Varnum
Chickering	Lindsay	Rhodes	Wells, D. A.
Clark	Low	Roberts	Weston
Congdon	McCarthy	Sheridan	Youngs
Cookinham			

Those who voted in the negative, were

Benedict, T. E.	Cullinan	Grosse	McAvoy
Bullock	Dougherty	Hagan	McCabe
Carpenter, E. A.	Duell	Havens	Morgan
Carpenter, I. S.	Evans	Hoffman	Root
Chamberlain	Ferris	Howland	Russell
Childs	Gorsline	Kennedy	Tuthill, H. H.
Cohen	Griggs	Lefever	Tuttle, R. M.
Comstock			

The Senate sent for concurrence the bill entitled "An act to amend chapter 138 of the Laws of 1880, entitled 'An act making an appropriation to continue the work on the New Capitol building,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Slingerland, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Russell
Andrews	Cullinan	Husted	Sanders
Baker, B. F.	Curtis	Ingersoll	Sheridan
Baker, C. S.	Davis	Kennedy	Sherman
Beach	Dougherty	Lefever	Shuit
Beates	Douglass	Lindsay	Sipp
Benedict, E. D.	Duell	Low	Slingerland
Bennett	Duguid	McCabe	Steele
Bradley	Ellis	McTernan	Tallmadge
Brennan	Evans	Miller	Terry
Bridges	Ferris	Mitchell	Titus
Brodsky	Fish	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Morgan	Travis
Carpenter, I. S.	Gillette	Newman	Treanor
Chamberlain	Gorsline	Nowlan	Tuthill, H. H.

Chase	Gray	O'Brien	Warner
Chickering	Griggs	Phillips	Waterbury
Childs	Havens	Potter	Wells, D. A.
Comstock	Hayes	Potts	Wells, J. L.
Congdon	Hoffman	Roberts	Weston
Costello	Howland	Root	Youngs

Those who voted in the negative, were  
Skinner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act making appropriations for the several judicial district libraries," and said bill was ordered to a third reading.

Mr. Sipp moved to substitute Senate bill, not printed, for Assembly bill No. 771, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," on same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes, and supplementary thereto," with a message that they have concurred in the same, with the following amendments:

Section 1, line 4, strike out the word "and;" same line, after the word "city," insert "Yonkers and Buffalo."

Add at the end of section 2 the following: "The common council of any city in which a ward has been changed or a new one created, since the last State census, shall, immediately after the changing a ward or creating a new one, cause a census of such ward to be made by an officer to be appointed by said common council, the record of said census shall be filed in the clerk's office of said city, and such ward shall not be entitled to elect a supervisor unless the population thereof shall be at least 2,500, as shall appear by such census."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shuit
Andrews	Deane	Lindsay	Sipp
Baker, B. F.	Dougherty	Low	Sisson
Baker, C. S.	Douglass	McAvoy	Skinner
Beach	Duell	Miller	Slingerland
Beates	Duguid	Mooers	Steele
Brennan	Ellis	Morgan	Tallmadge
Bridges	Evans	Newman	Terry
Brodsky	Ferris	Nowlan	Thilemann
Bullock	Fiske	O'Brien	Titus
Carpenter, E. A.	Gillette	Phillips	Tozier
Carpenter, I. S.	Gorsline	Pitcher	Travis
Childs	Gray	Potter	Tuthill, H. H.
Clark	Griggs	Potts	Tuttle, R. M.
Clowes	Hayes	Rhodes	Warner

Cohen	Hoffman	●Roberts	Waterbury
Comstock	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Costello	Husted	Seeley	Weston
Crapser	Ingersoll	Shanley	Wren
Cullinan	Kennedy	Sherman	Youngs
Curtis	Lefever		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 302, general orders No. 360, entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tallmadge offered for the consideration of the House a privileged resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor asking the return of Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide a public park for the city of Elmira, and for the care of the same," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, lines 2 and 3, strike out "Antonie Romer" and insert "Christopher Preswick, William J. Dounce."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sheridan
Andrews	Davis	Liddle	Sisson
Baker, B. F.	Deane	Lindsay	Skinner
Baker, C. S.	Dougherty	Low	Slingerland
Beach	Duell	McCabe	Steele
Beates	Duguid	Miller	Strait
Benedict, E. D.	Ellis	Mitchell	Tallmadge
Bridges	Evans	Mooers	Terry
Brodsky	Ferris	Morgan	Titus
Bullock	Fish	Newman	Tozier
Carpenter, E. A.	Fiske	Nowlan	Travis

Carpenter, I. S.	Gillette	O'Brien	Treanor
Chamberlain	Gorsline	Phillips	Tuthill, H. H.
Chase	Gray	Potter	Tuttle, R. M.
Chickering	Hagan	Potts	Warner
Childs	Hayes	Rhodes	Waterbury
Clancy	Hoffman	Roberts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Clowes	Hurd	Russell	Weston
Congdon	Husted	Seeley	Wren
Cookinham	Ingersoll	Shanley	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to release and grant the interest of the People of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 25, engrossed bill, lines 25 and 26, strike out the words "granted and."

Section 2, line 1, strike out the word "prejudice" and insert "affect;" line 2, after the word "right" insert "title or interest;" same line strike out "acquired" and insert "in and to said premises;" same line strike out "s" in "heirs;" line 3, after "the case" insert "devisee, grantee of said Michael Ryan;" same line strike out "purchaser;" same line after the word "or" insert "by judgment;" same line strike out "mortgagee" and insert "mortgage;" same line strike out "of said" and insert "or otherwise;" strike out all of line 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES . 92 }  
{ NOES . 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Russell
Andrews	Curtis	Kennedy	Sanders
Baker, B. F.	Davis	Lefever	Seeley
Baker, C. S.	Deane	Liddle	Shanley
Beach	Douglass	Lindsay	Sheridan
Beates	Duell	Low	Sherman
Benedict, E. D.	Duguid	McCabe	Shuit
Bennett	Ellis	McCarthy	Sisson
Brennan	Ferris	McDonald	Skinner
Bridges	Fish	Miller	Slingerland
Brodsky	Fiske	Mitchell	Tallmadge
Bullock	Gibbs	Mooers	Terry
Carpenter, E. A.	Gillette	Morgan	Thilemann
Carpenter, I. S.	Gorsline	Newman	Titus
Chase	Gray	Nowlan	Tozier
Chickering	Griggs	Parker	Travis
Childs	Hagan	Phillips	Treanor
Clancy	Havens	Pitcher	Tuthill, H. H.
Clark	Hayes	Potter	Tuttle, R. M.
Cohen	Hoffman	Potts	Waterbury
Comstock	Howland	Rhodes	Wells, D. A.
Congdon	Hurd	Roberts	Wells, J. L.
Cookinham	Husted	Root	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act providing for the verification of pleadings in the justices' court," with a message that they had concurred in the same, with the following amendments:

Section 1, line 4, strike out the words "or attorney;" line 14, after the word "plaintiff" insert "or;" same line strike out "or attorney."

Section 3, line 1, strike out "on" and insert "or;" line 2, strike out "rer" in the word "demurrer."

Strike out all of section 4, section 5 and section 6, and make section 7 section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Shanley
Andrews	Curtis	Lefever	Sheridan
Baker, B. F.	Cushing	Liddle	Sherman
Baker, C. S.	Davis	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Douglass	McCabe	Slingerland
Benedict, E. D.	Duell	Miller	Steele
Benedict, T. E.	Duguid	Mooers	Tallmadge
Brennan	Ellis	Morgan	Terry
Bridges	Ferris	Newman	Thilemann
Brodsky	Fish	Nowlan	Tozier
Bullock	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	Phillips	Treanor
Case	Gray	Potter	Tuttle, R. M.
Chamberlain	Havens	Potts	Waterbury
Chase	Hayes	Rhodes	Wells, D. A.
Chickering	Hoffman	Roberts	Wells, J. L.
Clancy	Howland	Root	Weston
Clark	Hurd	Russell	Wren
Comstock	Husted	Sanders	Youngs
Congdon	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof.'"

"An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

"An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof.'"

"An act supplementary to chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof.'"

"An act to confirm certain deeds given by the mayor and aldermen of the city of New York."

"An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874.'"

"An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties.'"

"An act to amend section 1323 of the Code of Civil Procedure."

"An act to prevent the sale of any adulterated article as cider vinegar."

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14 of the Laws of 1880.'"

"An act releasing all the right, title and interest of the People of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

"An act for the relief of Patrick Burns."

The Senate returned Assembly bill entitled "An act to provide for leasing wharf property necessary for ferry purposes, along with the franchise of a ferry within the city of New York," with a message that they had concurred in the same, with the following amendments:

Insert as section 2 the following:

Section 2. Should the present lessees of any ferry or ferry franchise, in said city, fail to obtain a renewal of their lease, the successful bidder or bidders for said ferry or ferry franchise shall purchase from the present lessees the boats, buildings and other property actually used and necessary for the purpose of the ferry at a fair valuation, to be determined as follows: The successful bidder or bidders for the ferry or ferry franchise shall appoint one person, and the present lessees of the ferry or ferry franchise shall appoint one person, to appraise the value of the ferry property; and if the two persons so appointed cannot agree they shall appoint one person as an umpire, and the amount agreed upon by any two of the persons so appointed, as the fair value of the ferry property, shall be paid by the successful bidder or bidders to the present lessees of the ferry or ferry franchise.

Make section 2 section 3, and section 3 section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lindsay	Sheridan
Andrews	Douglass	Low	Sherman
Baker, B. F.	Duell	McCabe	Shuit
Benedict, T. E.	Duguid	McCarthy	Sisson
Brennan	Ellis	McDonald	Slingerland
Brotsky	Evans	Miller	Steele
Bullock	Fish	Mooers	Terry
Carpenter, E. A.	Gillette	Morgan	Titus
Carpenter, I. S.	Gorsline	Newman	Tozier
Chase	Gray	Nowlan	Travis
Chickering	Griggs	O'Brien	Treanor
Childs	Havens	Peck	Tully
Clark	Hayes	Phillips	Tuttle, R. M.
Clowes	Hoffman	Potter	Varnum
Cohen	Howland	Potts	Warner
Costello	Hurd	Rhodes	Waterbury
Crapser	Ingersoll	Roberts	Wells, D. A.
Curtis	Kennedy	Root	Wells, J. L.
Davis	Lefever	Russell	Weston
Deane	Liddle	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to provide for the taxation of life insurance companies," with a message that they have concurred in the passage of the same with the following amendments:

Section 4, line 3, after the word "for" insert "State."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
 { NOES 7 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shanley
Andrews	Cullinan	Lefever	Sheridan
Baker, B. F.	Curtis	Low	Sherman
Beach	Davis	McAvoy	Shuit
Beates	Deane	McCarthy	Skinner
Benedict, E. D.	Dougherty	McDonald	Slingerland
Benedict, T. E.	Douglass	McTernan	Steele
Bradley	Duell	Mead	Strait
Brennan	Duguid	Miller	Terry
Bridges	Evans	Mitchell	Thilemann
Brotsky	Ferris	Mooers	Titus
Bullock	Fish	Nowlan	Tozier
Carpenter, E. A.	Fiske	O'Brien	Travis
Carpenter, I. S.	Gillette	Parker	Treanor
Case	Gorsline	Peck	Tully
Chickering	Gray	Phillips	Tuthill, H. H.
Claney	Griggs	Pitcher	Tuttle, R. M.
Clark	Grosse	Potter	Warner
Clowes	Havens	Potts	Waterbury



Cohen	Hoffman	Rhodes	Wells, D. A.
Congdon	Howland	Roberts	Wells, J. L.
Cookinham	Hurd	Root	Wren
Costello	Ingersoll	Sanders	

Those who voted in the negative, were

Baker, C. S.	Comstock	Hayes	Newman
Chase	Hagan	Husted	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May* 11, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act establishing the salary of the Deputy Comptroller."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. McCarthy, and by unanimous consent, the same was amended as follows :

Amend section 1 so as to read as follows :

Section 1. The salary of the Deputy Comptroller is hereby fixed at \$4,000 per annum from the first day of June, 1880, and the sum of \$500 is hereby appropriated to supply deficiency in said salary.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Sherman
Andrews	Davis	Low	Shuit
Baker, B. F.	Deane	McAvoy	Sisson
Baker, C. S.	Dougherty	McCabe	Slingerland
Beach	Douglass	McCarthy	Steele
Beates	Duell	Mead	Strait
Benedict, E. D.	Duguid	Miller	Tallmadge
Bradley	Fish	Mitchell	Terry
Brennan	Fiske	Mooers	Thilemann
Bridges	Gillette	Morgan	Titus
Brodsky	Gorsline	Newman	Travis
Bullock	Gray	Nowlan	Treanor
Carpenter, E. A.	Griggs	O'Brien	Tuthill, H. H.
Carpenter, I. S.	Hagan	Pitcher	Tuttle, R. M.
Case	Hayes	Potter	Varnum
Chase	Hoffman	Potts	Warner
Chickering	Howland	Rhodes	Waterbury
Childs	Hurd	Roberts	Wells, D. A.
Clark	Husted	Root	Wells, J. L.
Clowes	Ingersoll	Russell	Weston
Cohen	Kennedy	Sanders	Wren
Comstock	Lefever	Shanley	Youngs
Congdon	Liddle	Sheridan	

Those who voted in the negative, were

Crapser	Curtis	Ferris	Peck
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Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
 { NOES 15 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Sanders
Andrews	Davis	Ingersoll	Shanley
Baker, B. F.	Deane	Kennedy	Sheridan
Baker, C. S.	Dougherty	Lefever	Shuit
Beach	Douglass	Lindsay	Sisson
Beates	Duell	Low	Steele
Benedict, E. D.	Duguid	McCabe	Tallmadge
Bradley	Fiske	Mead	Terpeny
Brennan	Fitzgerald	Miller	Tozier
Brodsky	Gibbs	Mitchell	Travis
Bullock	Gillette	Mooers	Treanor
Carpenter, I. S.	Gorsline	Morgan	Tuthill, H. H.
Case	Gray	Newman	Varnum
Chase	Griggs	Nowlan	Warner
Chickering	Hagan	Pitcher	Waterbury
Childs	Havens	Potter	Wells, D. A.
Clancy	Hayes	Potts	Wells, J. L.
Clark	Hoffman	Rhodes	Weston
Comstock	Howland	Roberts	Wren
Cookinham	Hurd	Russell	Youngs
Costello			

Those who voted in the negative, were

Benedict, T. E.	Curtis	Grosse	Skinner
Bridges	Evans	McAvoy	Slingerland
Cohen	Ferris	Peck	Titus
Crapser	Fish	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May* 11, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Amend section 1 so as to read as follows:

Section 1. Title 3 of chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages," is hereby amended by adding thereto a section in addition to those added by chapter 688 of the Laws of 1871, to be numbered section 22, as follows:

Section 22. Amend title so as to read as follows: "An act further to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and the acts amendatory thereof."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Newman	Strait
Andrews	Douglass	Nowlan	Tallmadge
Baker, B. F.	Duell	O'Brien	Terry
Baker, C. S.	Duguid	Parker	Titus
Beach	Ellis	Peck	Tozier
Beates	Evans	Phillips	Travis
Brodsky	Gorsline	Pitcher	Treanor
Bullock	Hayes	Potter	Tully
Carpenter, E. A.	Hoffman	Potts	Tuthill, H. H.
Carpenter, I. S.	Husted	Roberts	Tuttle, R. M.
Case	Ingersoll	Root	Varnum
Chickering	Kennedy	Russell	Warner
Clark	Lefever	Sherman	Waterbury
Clowes	Lindsay	Shuit	Wells, D. A.
Cohen	Low	Sipp	Wells, J. L.
Cookinham	McAvoy	Sisson	Weston
Cullinan	McTernan	Skinner	Wiley
Curtis	Mead	Slingerland	Wren
Davis	Miller	Steele	Youngs
Deane	Mitchell		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sherman
Andrews	Curtis	Low	Shuit
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Deane	McCarthy	Sisson
Beach	Dougherty	McDonald	Skinner
Beates	Douglass	Miller	Slingerland
Benedict, E. D.	Duell	Mitchell	Steele
Benedict, T. E.	Duguid	Mooers	Strait
Bradley	Ellis	Morgan	Tallmadge
Brennan	Evans	Newman	Terry
Bridges	Ferris	Nowlan	Titus
Brodsky	Fish	O'Brien	Tozier
Bullock	Gorsline	Parker	Travis
Carpenter, E. A.	Gray	Peck	Treanor
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Case	Grosse	Pitcher	Tuttle, R. M.
Chase	Hagan	Potter	Varnum
Chickering	Hayes	Potts	Warner

Clark	Hoffman	Rhodes	Waterbury
Clowes	Howland	Roberts	Wells, D. A.
Cohen	Husted	Root	Wells, J. L.
Comstock	Ingersoll	Russell	Weston
Congdon	Kennedy	Sanders	Wren
Cookinham	Lefever	Sheridan	Youngs
Crapser	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 11, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 561, entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sheridan
Andrews	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Dougherty	McAvoy	Skinner
Benedict, E. D.	Douglass	McCarthy	Slingerland
Benedict, T. E.	Duell	McDonald	Steele
Bennett	Duguid	Miller	Strait
Bradley	Ellis	Mitchell	Tallmadge
Brennan	Evans	Mooers	Terry
Bridges	Ferris	Morgan	Titus
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, E. A.	Gorsline	O'Brien	Treanor
Carpenter, I. S.	Gray	Parker	Tuthill, H. H.
Case	Griggs	Peck	Tuttle, R. M.
Chase	Grosse	Phillips	Varnum
Chickering	Havens	Pitcher	Warner
Childs	Hayes	Potter	Waterbury
Clark	Hoffman	Potts	Wells, D. A.
Clowes	Howland	Rhodes	Wells, J. L.
Cohen	Hurd	Roberts	Weston
Comstock	Husted	Root	Wren
Congdon	Ingersoll	Russell	Youngs
Cookinham			

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Section 1, line 5, after the word "Westchester" insert as follows: "pursuant to the provisions of chapter 613 of the Laws of 1873, and."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Russell
Andrews	Curtis	Liddle	Sanders
Baker, B. F.	Davis	Lindsay	Sherman
Baker, C. S.	Deane	Low	Shuit
Beach	Dougherty	McAvoy	Sipp
Beates	Douglass	McCabe	Sisson
Benedict, E. D.	Duell	McCarthy	Skinner
Benedict, T. E.	Duguid	McDonald	Slingerland
Bennett	Ellis	Mead	Steele
Bradley	Evans	Miller	Strait
Brennan	Ferris	Mitchell	Tallmadge
Bridges	Fish	Mooers	Terry
Brodsky	Fiske	Morgan	Titus
Bullock	Gillette	Newman	Tozier
Carpenter, E. A.	Gorsline	Nowlan	Travis
Carpenter, I. S.	Gray	O'Brien	Treanor
Case	Griggs	Parker	Tuttle, R. M.
Chase	Grosse	Peck	Varnum
Chickering	Havens	Phillips	Warner
Childs	Hayes	Pitcher	Waterbury
Clark	Hoffman	Potter	Wells, D. A.
Clowes	Howland	Potts	Wells, J. L.
Comstock	Hurd	Rhodes	Weston
Congdon	Husted	Roberts	Wren
Cookinham	Ingersoll	Root	Youngs
Crapser	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Titus, from the sub-committee of the whole, presented a report, which was laid on the table and ordered printed.

(See Doc. No. 140.)

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 12, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 164, entitled "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Seeley
Andrews	Cullinan	Kennedy	Sheridan
Baker, B. F.	Curtis	Lefever	Sherman
Baker, C. S.	Davis	Liddle	Shuit
Beach	Deane	Lindsay	Sipp
Beates	Dougherty	Low	Sisson
Benedict, E. D.	Douglass	McAvoy	Skinner
Benedict, T. E.	Duell	McCabe	Slingerland
Bennett	Duguid	McCarthy	Steele
Bradley	Ellis	McDonald	Strait
Brehnan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terry
Brodsky	Fish	Mitchell	Titus
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Gillette	Newman	Travis
Carpenter, I. S.	Gorsline	Nowlan	Treanor
Case	Gray	O'Brien	Tuthill, H. H.
Chase	Griggs	Peck	Tuttle, R. M.
Chickering	Groase	Pitcher	Varnum
Childs	Hagan	Potter	Warner
Olanoy	Havens	Potts	Waterbury
Clark	Hayes	Rhodes	Wells, D. A.
Clowes	Hoffman	Roberts	Wells, J. L.
Oomstook	Howland	Root	Weston
Congdon	Hurd	Russell	Wren
Cookinham	Husted	Sanders	Youngs
Costello			

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following :

Strike out all after the first section, after the word " Sunday," and insert " and all such days as now are or hereafter may be made legal holidays."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Seeley
Andrews	Curtis	Lindsay	Sherman
Baker, B. F.	Davis	McAvoy	Shuit
Baker, C. S.	Deane	McCabe	Sipp
Beach	Dougherty	McCarthy	Sisson
Beates	Douglass	McDonald	Skinner
Benedict, E. D.	Duell	Mead	Slingerland
Benedict, T. E.	Duguid	Miller	Steele
Bennett	Evans	Mooers	Strait
Bradley	Ferris	Morgan	Tallmadge
Brennan	Fish	Newman	Terry
Bridges	Gorsline	Nowlan	Titus
Brodsky	Gray	O'Brien	Tozier
Bullock	Griggs	Parker	Travis

Carpenter, E. A.	Havens	Peck	Tuttle, R. M.
Carpenter, I. S.	Hayes	Phillips	Varnum
Case	Hoffman	Pitcher	Warner
Chase	Howland	Potter	Waterbury
Chickering	Hurd	Potts	Wells, D. A.
Clowes	Husted	Roberts	Wells, J. L.
Comstock	Ingersoll	Root	Weston
Congdon	Kennedy	Russell	Wren
Cookinham	Lefever	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 13, 1880. }

*To the Assembly:*

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 374, entitled "An act to vest certain powers in the president of the Kingston board of education, and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sherman
Andrews	Deane	McCarthy	Shuit
Baker, B. F.	Dougherty	McDonald	Sipp
Baker, C. S.	Douglass	Mead	Sisson
Beach	Duell	Miller	Skinner
Beates	Duguid	Mitchell	Slingerland
Benedict, E. D.	Ellis	Mooers	Steele
Benedict, T. E.	Evans	Morgan	Strait
Bennett	Fish	Newman	Tallmadge
Bradley	Gillette	Nowlan	Terry
Brennan	Gorsline	O'Brien	Titus
Bridges	Gray	Parker	Tozier
Brodsky	Griggs	Peck	Travis
Bullock	Hayes	Phillips	Treanor
Carpenter, E. A.	Hoffman	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Howland	Potter	Varnum
Case	Hurd	Potts	Warner
Chase	Husted	Roberts	Waterbury
Clowes	Ingersoll	Root	Wells, D. A.
Comstock	Kennedy	Russell	Wells, J. L.
Congdon	Lefever	Sanders	Weston
Cookinham	Liddle	Shanley	Wren
Cullinan	Lindsay	Sheridan	Youngs
Curtis			

Those who voted in the negative, were

Chickering, Crapser, Havens



On motion of Mr. Lefever, and by unanimous consent, said bill was amended in words following:

Amend section 7 so as to read: "This act shall take effect immediately, except so much as relates to the compensation to be paid to the president of the board of education, in relation to which it shall take effect on the expiration of the term of the present incumbent."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Russell
Andrews	Curtis	Liddle	Shanley
Baker, B. F.	Davis	Lindsay	Sheridan
Baker, C. S.	Deane	Low	Sherman
Beach	Dougherty	McAvoy	Shuit
Beates	Douglass	McCarthy	Sipp
Benedict, E. D.	Duell	McDonald	Sisson
Benedict, T. E.	Duguid	McTernan	Skinner
Bennett	Ellis	Mead	Slingerland
Bradley	Evans	Miller	Steele
Brennan	Ferris	Mitchell	Strait
Bridges	Fish	Mooers	Tallmadge
Brodsky	Gillette	Morgan	Terry
Bullock	Gorsline	Newman	Titus
Carpenter, E. A.	Gray	Nowlan	Tozier
Carpenter, I. S.	Griggs	O'Brien	Travis
Case	Havens	Peck	Treanor
Chase	Hayes	Phillips	Tuttle, R. M.
Chickering	Hoffman	Pitcher	Waterbury
Childs	Howland	Potter	Wells, D. A.
Clowes	Hurd	Potts	Wells, J. L.
Gomstock	Husted	Rhodes	Wren
Congdon	Ingersoll	Roberts	Youngs
Cookinham	Kennedy	Root	

Those who voted in the negative, were

Varnum

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend section four hundred and thirty of the Code of Procedure."

"An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose."

"An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county, passed April 14, 1855, and the several acts amendatory thereof, by annexing the following sections.'"

"An act to amend chapter 869 of the Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company.'"

"An act to amend chapter 249 of the Laws of 1879, entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments.'"

"An act to authorize the sale of subdivision No. 15 of block No. 27, in the Third ward, and a part of subdivision 18 of block No. 148, in the Sixth ward, of the city of Oswego."

"An act to exempt Fulton county from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties.'"

"An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers."

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof.'"

"An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges."

"An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean in the county of Cattaraugus, and of the several acts amendatory thereof.'"

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

"An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health."

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Ingersoll moved to lay all order of business on the table, for the purpose of taking up order of business general orders, and the consideration of bills entitled as follows:

"An act fixing the amount to be paid on a policy of insurance."

"An act to provide for the printing of the State canvass."

"An act relative to certain improvements in the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole, and after some time spent therein,

Mr. Speaker resumed the chair and stated, that the hour of two having arrived the House will take a recess until four P. M.

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FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker stated the pending question at the hour of adjournment to be the consideration of the bills entitled as follows:

"An act to provide for the printing of the State canvass."

"An act to incorporate the Chateaugay Water Works Company."

Senate, "An act fixing the amount to be paid on a policy of insurance."

"An act relative to certain improvements in the city of New York."

The House then resolved itself into committee of the whole on the bills entitled as follows:

"An act to provide for the printing of the State canvass."

Senate, "An act fixing the amount to be paid on a policy of insurance."

"An act relative to certain improvements in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hurd, from said committee, reported that they have stricken out the first section and title of first named bill, which report was agreed to.

Mr. Hurd, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Ingersoll moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Ingersoll, and it was determined in the affirmative.

{ AYES 64 }  
{ NOES 34 }

Those who voted in the affirmative, were

Alvord	Cohen	Ingersoll	Sherman
Baker, B. F.	Comstock	Kennedy	Shuit
Beach	Congdon	Low	Sipp
Beates	Costello	McAvoy	Sisson
Benedict, T. E.	Cullinan	McCabe	Slingerland
Brennan	Curtis	McCarthy	Strait
Bridges	Douglass	McDonald	Terpeny
Brodsky	Evans	McTernan	Terry
Bullock	Fitzgerald	Mead	Thilemann
Case	Gray	Morgan	Tormey
Chase	Gwinup	Newman	Tozier
Chickering	Hagan	O'Brien	Tully
Childs	Havens	Parker	Van Valkenburgh
Clancy	Hayes	Roberts	Walsh
Clark	Hoffman	Shanley	Waterbury
Clowes	Hurd	Sheridan	Wells, D. A.

Those who voted in the negative, were

Baker, C. S.	Ferris	Nowlan	Steele
Bradley	Griggs	Phillips	Tallmadge
Carpenter, E. A.	Howland	Pitcher	Treanor
Carpenter, I. S.	Husted	Potts	Tuttle, R. M.
Cookinham	Lefever	Root	Varnum
Davis	Liddle	Russell	Wells, J. L.
Duell	Lindsay	Seeley	Youngs
Duguid	Miller	Slipper	Mr. Speaker
Ellis	Mitchell	McDonald	Benedict, T. E.

Mr. Speaker moved to make the last named bill a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to extend the time of the session for 10 minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bradley moved that when this House adjourns to night, it be to meet again this evening at 8 o'clock.

Mr. Tallmadge moved to strike out the words "this evening" and insert "every evening next week, excepting Friday and Saturday."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Tallmadge, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Bradley, and it was determined in the negative.

Mr. Titus moved that Assembly bill entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading,

Mr. Sipp moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sanders
Andrews	Davis	Liddle	Seeley
Baker, B. F.	Deane	Lindsay	Sheridan
Baker, C. S.	Dougherty	Low	Sherman
Beach	Douglass	McAvoy	Shuit
Beates	Duell	McCarthy	Sisson
Bradley	Duguid	Mead	Skinner
Bridges	Ferris	Miller	Slingerland
Brodsky	Fish	Mitchell	Tallmadge
Carpenter, E. A.	Fiske	Mooers	Terry
Case	Fitzgerald	Morgan	Titus
Chase	Gray	Nowlan	Travis
Childs	Griggs	O'Brien	Van Valkenburgh
Clowes	Hayes	Peck	Varnum
Cohen	Howland	Phillips	Waterbury
Comstock	Hurd	Potts	Wells, D. A.
Cookinham	Husted	Roberts	Wells, J. L.
Costello	Ingersoll	Root	Youngs
Cullinan	Kennedy	Russell	

Those who voted in the negative, were

Benedict, T. E.	Gorsline	McDonald	Terpeny
Bennett	Grosse	Parker	Treanor
Clancy	Gwinup	Shanley	Tully
Crapser	Havens	Sipp	Tuttle, R. M.
Ellis	Hoffman	Strait	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned Senate bill entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George," with a message that they have concurred in the amendments made therein in the Assembly.

*Ordered*, That the Clerk return said bill to the Senate.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 611, entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," for amendment and correction.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. I. S. Carpenter offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful request be sent to His Excellency the Governor, asking the return of Assembly bill, not printed, entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace of Washington, in Dutchess county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Sherman offered for the consideration of the House a resolution in the words following:

*Whereas*, It has pleased Divine Providence to call from the scenes of an active and useful life the Hon. DeWitt Parshall, of Wayne county, a former member of this House; and,

*Whereas*, It is fitting that we, his survivors, should formally show our appreciation of the loss his death has occasioned; therefore,

*Resolved*, That this Assembly hereby extends to his bereaved family its sincere sympathy, and expresses its deep sense of the loss his sudden death will be to the public and business interests of our State.

*Resolved*, That a copy of these resolutions be engrossed, and forwarded by the Clerk to his bereaved family.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative by a unanimous standing vote.

On motion of Mr. Alvord, and at six o'clock and fifteen minutes, the House adjourned.

## FRIDAY MORNING, MAY 14, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to release the right, title and interest of the People of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow."

"An act to incorporate the Grand Lodge Knights of Pythias of the State of New York."

"An act to amend an act entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer, passed April 17, 1866.'"

"An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto."

"An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimner, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

"An act to provide for the proper drainage of lands in the city of New York."

"An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga."

"An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston.'"

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That when this House adjourns to-day it be to meet on Monday evening next at 6 o'clock; and that, after Monday next, this House will hold three sessions each day, viz.: from 10 A. M. till 2 P. M., from 4 P. M. till 6 P. M., and at 8 P. M.

Mr. Bradley moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Bradley, and it was determined in the affirmative.

{ AYES 57 }  
{ NOES 26 }

Those who voted in the affirmative, were

Andrews  
Baker, C. S.

Cullinan  
Deane

McCabe  
McCarthy

Skinner  
Steele



Beach	Douglass	McTernan	Strait
Beates	Duguid	Morgan	Tallmadge
Benedict, E. D.	Evans	Newman	Terry
Bradley	Ferris	Parker	Thilemann
Brennan	Fitzgerald	Peck	Travis
Brodsky	Gorsline	Phillips	Tully
Carpenter, E. A.	Gray	Potts	Tuttle, R. M.
Carpenter, I. S.	Hagan	Rhodes	Varnum
Childs	Howland	Root	Walsh
Clancy	Kennedy	Russell	Wells, J. L.
Clark	Lindsay	Sheridan	Wren
Clowes	Low	Sipp	Youngs
Crapser			

Those who voted in the negative, were

Alvord	Congdon	Hoffman	Shanley,
Benedict, T. E.	Cookinham	Husted	Shesman
Bennett	Curtis	Miller	Sisson
Bridges	Davis	Mooers	Tozier
Bullock	Duell	Nowlan	Van Valkenburgh
Case	Gwinup	Sanders	Wells, D. A.
Chickering	Hayes		

By unanimous consent,

Mr. Alvord, in behalf of Mr. Catlin, offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 327, entitled "An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon, in the county of Westchester;" and Senate bill No. 360, entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

By unanimous consent,

Mr. Shanley offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 108, general orders No. 1000, entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Chickering introduced a bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Chickering, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution in the words following:



*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 384, entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," and, by unanimous consent, the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That this Legislature will adjourn *sine die* on Friday the 21st inst., at 4 o'clock in the afternoon of that day.

*Ordered*, That the same be laid on the table.

The Senate sent for concurrence the following bills:

"An act to amend chapter 449 of the Laws of 1876, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 282 of the Laws of 1879, entitled 'An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to providing for the drainage of swamp, marsh or other low or wet lands, and for draining farm lands,' passed May 12, 1869,' which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, said bill was ordered to a third reading.

"An act in relation to assessments for taxes for Long Island City," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clowes, and by unanimous consent, said bill was substituted for Assembly bill No. 739, now on order of third reading.

"An act relative to the village of Athens, in Greene county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 178 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village,' passed March 15, 1859,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act for the relief of the Attica and Arcade Railroad Company,"

which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

“An act for the regulation of international exhibitions held under the supervision and auspices of the Government of the United States, within the State of New York, and preventing seizure of articles and goods deposited on exhibition thereat,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

“An act for the better protection of woods and forests,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

“An act to incorporate the National Guard Mutual Relief Association of the State of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

“An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled ‘Of general provisions applicable to all the prisons treated of in this chapter,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

“An act to repeal chapter 606 of the Laws of 1875, entitled ‘An act further to provide for the construction and operation of a steam railway or railways in the counties of the State,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Leave of absence was granted to Messrs. Chamberlain, Costello, Shuit and Waterbury.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 616, general orders No. 708, entitled “An act to collect and preserve the waters in the upper Hudson river and its tributaries, and to utilize the same for purposes of canal and river navigation in seasons of low water and drouth,” and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of Senate bill entitled “An act to repeal chapter 257 of the Laws of 1863, entitled ‘An act in relation to draining certain low lands situate in the towns of Bloomingrove and Chester, in the county of Orange,’” and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled “An act releasing all the right, title and interest of the people of New York in and to certain tracts or parcels of land to Peter M. Biegen,” with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, line 8, of engrossed bill, strike out the word "which" and insert "of;" same section, strike out all after the word "company," in the 9th line.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McCabe	Sisson
Andrews	Curtis	McCarthy	Skinner
Baker, C. S.	Davis	Miller	Slingerland
Beach	Deane	Mitchell	Steele
Beates	Douglass	Mooers	Strait
Benedict, E. D.	Duguid	Morgan	Tallmadge
Benedict, T. E.	Ellis	Newman	Terpeny
Bradley	Ferris	Nowlan	Terry
Brennan	Fiske	Parker	Titus
Bridges	Gorsline	Peck	Tozier
Brodsky	Gray	Phillips	Travis
Bullock	Gwinup	Pitcher	Treanor
Carpenter, E. A.	Hagan	Potts	Tully
Carpenter, I. S.	Havens	Rhodes	Tuthill, H. H.
Case	Hayes	Roberts	Tuttle, R. M.
Chickering	Hoffman	Root	Van Valkenburgh
Childs	Howland	Russell	Varnum
Clancy	Husted	Seeley	Wells, D. A.
Clark	Kennedy	Shanley	Wells, J. L.
Clowes	Lefever	Sheridan	Wren
Congdon	Liddle	Sherman	Youngs
Crapser	Low	Sipp	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to protect Central Park, and other public parks and places in the city of New York and the streets bordering on the same, from encroachment by elevated railroads," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. It shall not be lawful to grant, use or occupy, for the purpose of an elevated railroad, any street, avenue, public park, area or public place, in that portion of the city of New York lying south of Harlem river and Spuyten Duyvil creek, and north of the southerly line of Fulton street, except the streets, avenues, parks, and public parks in which an elevated railway is now constructed in whole or in part, nor shall any elevated railroad be constructed on the sidewalk of or on State street, from Battery Place to Whitehall street, but the structure of the New York Elevated Railroad Company, now in the Battery Park, may be continued, maintained and used by said company.

Nothing herein contained shall be construed to affect any right heretofore given by the report of the rapid transit commissioners, so called, to any elevated railroad company now operating a railroad to cross the Harlem river, or to approach a point or place of crossing, or to operate, maintain or use any railroad it now has, nor to affect any right now existing in any elevated railroad company to construct,

maintain and use an elevated railroad from Second avenue through River street to Eighth avenue, and from West Broadway to Chatham street, and through Chatham street to Division street. But no elevated railroad shall be hereafter built in the city of New York, north of Harlem river and Spuyten Duyvil creek, except pursuant to chapter 606 of the Laws of 1875.

Nothing in this act contained shall be deemed to take from the Metropolitan Transit Company any of the rights and privileges granted to said company by chapter 833 of the Laws of 1872, except that no elevated railroad, under said act, shall be constructed along Forty-second street or streets bounding Reservoir square or on Broadway or through Morningside park.

§ 2. No railroad, elevated or surface, hereafter constructed, shall run through any park in the city of New York.

§ 3. This act shall take effect immediately.

Amend the title so as to read as follows :

“An act in relation to elevated railroads in the city of New York.”

Mr. Mitchell moved to refer said bill to the committee on affairs of cities, and that said bill be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

The bill entitled “An act in relation to the highways of this State of certain width,” being announced for a third reading,

Mr. Russell moved to commit said bill to the committee on railroads, and that said bill be ordered printed.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Russell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 62 }  
{ NOES 30 }

Those who voted in the affirmative, were

Alvord	Clowes	Mead	Skinner
Andrews	Congdon	Miller	Strait
Baker, C. S.	Curtis	Mitchell	Tallmadge
Beach	Dougherty	Mooers	Terpeny
Beates	Douglass	Morgan	Terry
Benedict, E. D.	Duguid	Newman	Thilemann
Benedict, T. E.	Ellis	O'Brien	Tozier
Bennett	Griggs	Parker	Treanor
Brodsky	Gwinup	Potts	Tully
Bullock	Hagan	Rhodes	Tuttle, R. M.
Case	Havens	Sanders	Van Valkenburgh
Chase	Hayes	Shanley	Walsh
Chickering	Hoffman	Shuit	Wells, D. A.
Childs	McAvoy	Sipp	Weston
Clancy	McDonald	Sisson	Wiley
Clark	McTernan		

Those who voted in the negative, were

Brennan	Duell	Lindsay	Seeley
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Bridges	Evans	Nowlan	Sherman
Carpenter, E. A.	Fiske	Phillips	Slingerland
Comstock	Gorsline	Pitcher	Tuthill, H. H.
Cookinham	Gray	Roberts	Varnum
Crapser	Kennedy	Root	Wells, J. L.
Cullinan	Lefever	Russell	Wren
Davis	Liddle		

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths of said members not being present.

{ AYES 66 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Russell
Andrews	Curtis	Low	Sanders
Baker, B. F.	Davis	McAvoy	Seeley
Baker, C. S.	Douglass	McCabe	Shanley
Beach	Ellis	Mead	Sipp
Beates	Evans	Miller	Sisson
Benedict, E. D.	Fiske	Mitchell	Skinner
Benedict, T. E.	Gorsline	Mooers	Slingerland
Bennett	Gray	Newman	Strait
Bridges	Griggs	Nowlan	Terry
Bullock	Gwinup	Peck	Thilemann
Case	Hagan	Phillips	Tozier
Childs	Havens	Pitcher	Travis
Clowes	Hayes	Potts	Treanor:
Congdon	Hoffman	Roberts	Tuttle, R. M.
Cookinham	Howland	Root	Wren
Crapser	Husted		

The bill entitled "An act to amend chapter 367 of the Laws of 1878, entitled 'An act to amend chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Dougherty	Liddle	Russell
Baker, C. S.	Douglass	Low	Seeley
Beach	Duell	McAvoy	Shanley

Beates	Duguid	McCabe	Sherman
Benedict, E. D.	Ellis	McCarthy	Sipp
Benedict, T. E.	Evans	McDonald	Sisson
Bradley	Ferris	Mead	Skinner.
Bridges	Fiske	Miller	Slingerland
Bullock	Gorsline	Mitchell	Strait
Case	Gray	Mooers	Tallmadge
Chase	Griggs	Newman	Terry
Chickering	Gwinup	Nowlan	Titus
Childs	Hagan	Parker	Tozier
Clowes	Havens	Peck	Travis
Comstock	Hayes	Phillips	Treanor
Congdon	Hoffman	Pitcher	Tully
Cookinham	Howland	Potts	Tuthill, H. H.
Crapser	Husted	Rhodes	Tuttle, R. M.
Cullinan	Kennedy	Roberts	Van Valkenburgh
Curtis	Lefever	Root	Wells, J. L.
Davis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bradley moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" was lost.

Mr. Speaker put the question whether the House would agree to take said bill from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 85 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McDonald	Sipp
Andrews	Dougherty	McTernan	Sisson
Baker, B. F.	Douglass	Mead	Skinner
Baker, C. S.	Duell	Miller	Slingerland
Beach	Ellis	Mitchell	Strait
Beates	Evans	Mooers	Tallmadge
Benedict, E. D.	Ferris	Newman	Terry
Benedict, T. E.	Gorsline	Nowlan	Titus
Bradley	Gray	Parker	Tozier
Bridges	Griggs	Peck	Travis
Brotsky	Gwinup	Phillips	Tully
Bullock	Hagan	Pitcher	Tuthill, H. H.
Carpenter, E. A.	Hayes	Potts	Tuttle, R. M.
Case	Hoffman	Roberts	Van Valkenburgh
Chase	Kennedy	Root	Walsh
Clark	Lefever	Russell	Wells, D. A.
Comstock	Liddle	Sanders	Wells, J. L.
Congdon	Lindsay	Seeley	Weston
Cookinham]	Low	Shanley	Wiley



Crapser  
Cullinan  
Curtis

McAvoy  
McCabe

Sheridan  
Sherman

Wren  
Youngs

On motion of Mr. Alvord, and by unanimous consent, said bill was amended as follows:

Insert in section 1, line 28, after the word "year" the words "during this and the next two years, and after that period \$6,000 each year as now limited by the charter." In same section, line 31, after the word "village" the words "one-third of which shall be specifically set apart and annually expended upon the roads lying north of the New York, New Haven and Hartford Railroad, and to secure economy all contracts and other expenditures on the public roads shall in future be open to competition, so that the hire of teams, wages of daily labor, and expenditures of every kind, by contract or otherwise, shall in no case, at any time, exceed the current price or compensation prevailing in the community."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	McAvoy	Sheridan
Andrews	Curtis	McCabe	Sherman
Baker, B. F.	Davis	McCarthy	Sipp
Baker, C. S.	Deane	McDonald	Sisson
Beach	Douglass	McTernan	Skinner
Beates	Duell	Mead	Slingerland
Benedict, E. D.	Ellis	Miller	Steele
Benedict, T. E.	Evans	Mitchell	Strait
Bennett	Ferris	Mooers	Tallmadge
Bradley	Fiske	Morgan	Terry
Bridges	Gorsline	Newman	Titus
Brodsky	Gray	Nowlan	Tozier
Bullock	Griggs	Parker	Travis
Carpenter, E. A.	Grosse	Peck	Treanor
Carpenter, I. S.	Gwinup	Phillips	Tully
Case	Havens	Pitcher	Tuthill, H. H.
Chickering	Hayes	Potts	Tuttle, R. M.
Childs	Hoffman	Rhodes	Van Valkenburgh
Clancy	Husted	Roberts	Walsh
Clowes	Kennedy	Root	Wells, D. A.
Comstock	Lefever	Russell	Wells, J. L.
Congdon	Liddle	Sanders	Weston
Cookinham	Lindsay	Seeley	Wren
Crapser	Low	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor, through the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 14, 1880. }

*To the Assembly:*

Assembly bill, not printed, entitled "An act to prohibit the mayor



and common council of the city of Brooklyn from authorizing any railroad corporation to construct its road upon any portion of Water street in said city, not named in the charter of such railroad corporation," is herewith returned without approval.

The object of this bill is to take from the mayor and common council of the city of Brooklyn authority vested in them by chapter 585 of the Laws of 1874, to change the route of the elevated railway created by that act, to streets which they should deem more suitable for carrying out the objects contemplated therein.

The consideration of a change of the route is now pending in the common council, and it cannot be doubted that the members of that body are quite competent to deal with the question intelligently. They have full opportunity to examine the subject in all of its details, and should be permitted to act upon it according to the merits of all interests involved.

The case would be very different if the common council had not already proceeded to act under the existing authority. If it were merely a question of changing the conditions under which the mayor and common council might act, before taking cognizance of the matter, there could perhaps be no serious objections to the proposition. In view of the present circumstances, however, it seems to me interference with the pending action of the local authorities is wholly unwarranted.

(Signed)

ALONZO B. CORNELL.

Mr. Clancy moved that the message be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge, passed April 16, 1866, and the several acts amending and supplementing the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	McAvoy	Sherman
Andrews	Davis	McCabe	Sipp
Baker, B. F.	Dougherty	McCarthy	Sisson
Baker, C. S.	Douglass	McDonald	Skinner
Beach	Duell	McTernan	Slingerland
Beates	Duguid	Mead	Steele
Benedict, E. D.	Ellis	Miller	Strait
Benedict, T. E.	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terpeny
Brennan	Fiske	Morgan	Terry
Bridges	Gorsline	Newman	Thilemann
Brodsky	Gray	Nowlan	Titus
Bullock	Griggs	Parker	Tozier
Carpenter, I. S.	Grosse	Peck	Travis

Case	Gwinup	Phillips	Treanor
Chase	Havens	Pitcher	Tully
Chickering	Hayes	Potts	Tuthill, H. H.
Childs	Hoffman	Rhodes	Tuttle, R. M.
Clark	Howland	Roberts	Van Valkenburgh
Clowes	Husted	Root	Varnum
Comstock	Kennedy	Russell	Walsh
Congdon	Lefever	Sanders	Warner
Cookinham	Liddle	Seeley	Wells, D. A.
Crapser	Lindsay	Shanley	Wells, J. L.
Cullinan	Low	Sheridan	Wiley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable subordinate councils of the Royal Arcanum in the State of New York to take, hold and convey real and personal estate, and to exercise other powers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shanley
Andrews	Davis	Lindsay	Sheridan
Baker, B. F.	Deane	Low	Sherman
Baker, C. S.	Douglass	McCabe	Sipp
Beach	Duell	McCarthy	Sisson
Beates	Duguid	Miller	Skinner
Benedict, E. D.	Ellis	Mitchell	Slingerland
Benedict, T. E.	Evans	Mooers	Steele
Bennett	Ferris	Morgan	Tallmadge
Bradley	Fish	Newman	Terpeny
Bridges	Gibbs	Nowlan	Terry
Brodsky	Gorsline	O'Connor	Thilemann
Bullock	Gray	Parker	Titus
Carpenter, E. A.	Hagan	Peck	Tozier
Carpenter, I. S.	Havens	Phillips	Travis
Chase	Hayes	Potter	Tully
Chickering	Hoffman	Potts	Tuttle, R. M.
Childs	Howland	Rhodes	Waterbury
Clark	Husted	Roberts	Wells, D. A.
Clowes	Ingersoll	Root	Wells, J. L.
Comstock	Kennedy	Russell	Weston
Crapser	Lefever	Seeley	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Seeley
Andrews	Davis	Low	Sheridan
Baker, B. F.	Deane	McCabe	Sherman
Baker, C. S.	Douglass	McCarthy	Sipp
Beach	Duell	Mead	Sisson
Beates	Duguid	Miller	Skinner
Benedict, E. D.	Ellis	Mitchell	Slingerland
Bennett	Evans	Mooers	Steele
Bridges	Ferris	Morgan	Tallmadge
Brodsky	Fiske	Newman	Terpeny
Bullock	Gibbs	Nowlan	Terry
Carpenter, E. A.	Gorsline	O'Connor	Titus
Carpenter, I. S.	Gray	Parker	Tozier
Case	Gwinup	Peck	Travis
Chase	Havens	Phillips	Treanor
Childs	Hayes	Pitcher	Tully
Clancy	Hoffman	Potter	Tuthill, H. H.
Clark	Howland	Potts	Tuttle, R. M.
Clowes	Husted	Rhodes	Walsh
Comstock	Ingersoll	Roberts	Waterbury
Congdon	Kennedy	Root	Wells, D. A.
Crapser	Lefever	Russell	Wells, J. L.
Cullinan	Liddle	Sanders	Weston

Those who voted in the negative, were

Benedict, T. E.      Cookinham

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Baker, B. F.	Curtis	Lindsay	Sipp
Baker, C. S.	Cushing	Low	Sisson
Beach	Davis	McCabe	Skinner
Beates	Deane	McCarthy	Slingerland
Benedict, T. E.	Duell	Miller	Steele
Bennett	Duguid	Mitchell	Tallmadge
Bradley	Ellis	Mooers	Terpeny
Bridges	Evans	Morgan	Terry
Brodsky	Fish	Newman	Thilemann
Bullock	Fiske	Nowlan	Tozier
Carpenter, E. A.	Gillette	Parker	Travis
Carpenter, I. S.	Gorsline	Peck	Treanor
Case	Gray	Phillips	Tuthill, H. H.
Chase	Grosse	Pitcher	Tuttle, R. M.

Chickering	Hagan	Potter	Van Valkenburgh
Childs	Hayes	Potts	Varnum
Clancy	Hoffman	Roberts	Waterbury
Clark	Howland	Root	Wells, D. A.
Clowes	Husted	Russell	Wells, J. L.
Comstock	Ingersoll	Sanders	Weston
Congdon	Kennedy	Shanley	Wren
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sheridan
Andrews	Cushing	Low	Sherman
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Deane	McCabe	Sisson
Beach	Douglass	McCarthy	Skinner
Beates	Duell	McDonald	Slingerland
Benedict, E. D.	Duguid	Miller	Steele
Benedict, T. E.	Ferris	Mitchell	Tallmadge
Bennett	Fish	Mooers	Terpeny
Brennan	Fiske	Morgan	Terry
Brodsky	Gibbs	Newman	Thilemann
Bullock	Gorsline	Nowlan	Titus
Carpenter, I. S.	Gray	Parker	Tozier
Case	Griggs	Peck	Travis
Chase	Gwinup	Phillips	Tully
Chickering	Hagan	Pitcher	Tuthill, H. H.
Childs	Havens	Potter	Tuttle, R. M.
Clark	Hayes	Potts	Van Valkenburgh
Clowes	Hoffman	Roberts	Varnum
Comstock	Husted	Root	Waterbury
Congdon	Ingersoll	Russell	Wells, D. A.
Cookinham	Kennedy	Sanders	Wells, J. L.
Crapser	Lefever	Seeley	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sanders
Baker, B. F.	Curtis	Liddle	Seeley

Baker, C. S.	Davis	Lindsay	Sheridan
Beach	Deane	Low	Sherman
Beates	Douglass	McAvoy	Sipp
Benedict, E. D.	Duguid	McCabe	Sisson
Benedict, T. E.	Ellis	McCarthy	Skinner
Bradley	Evans	Miller	Steele
Brennan	Ferris	Mitchell	Tallmadge
Brodsky	Fiske	Mooers	Terpeny
Bullock	Gibbs	Morgan	Terry
Carpenter, E. A.	Gorsline	Newman	Thilemann
Carpenter, I. S.	Gray	Nowlan	Titus
Case	Gwinup	Parker	Tozier
Chase	Hagan	Peck	Travis
Chickering	Havens	Phillips	Tuthill, H. H.
Clark	Hayes	Pitcher	Tuttle, R. M.
Clowes	Hoffman	Potts	Van Valkenburgh
Comstock	Howland	Rhodes	Wells, D. A.
Congdon	Husted	Roberts	Wells, J. L.
Cookinham	Ingersoll	Root	Weston
Crapser	Kennedy	Russell	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 11, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 431, entitled "An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McAvoy	Sipp
Andrews	Deane	McCabe	Sisson
Baker, B. F.	Dougherty	McCarthy	Skinner
Baker, C. S.	Douglass	Miller	Slingerland
Beach	Duguid	Mitchell	Steele
Beates	Ellis	Mooers	Strait
Benedict, E. D.	Ferris	Morgan	Tallmadge
Benedict, T. E.	Fiske	Newman	Terpeny
Bennett	Gorsline	Nowlan	Terry
Bradley	Gray	Parker	Titus
Brodsky	Grosse	Peck	Tozier
Bullock	Hagan	Phillips	Travis
Carpenter, E. A.	Havens	Pitcher	Treanor
Carpenter, I. S.	Hayes	Potts	Tuthill, H. H.
Chase	Hoffman	Rhodes	Tuttle, R. M.
Chickering	Howland	Roberts	Van Valkenburgh
Childs	Husted	Root	Varnum

Clark	Ingersoll	Russell	Wells, D. A.
Clowes	Kennedy	Seeley	Wells, J. L.
Comstock	Lefever	Shanley	Weston
Congdon	Liddle	Sheridan	Wren
Cullinan	Low	Sherman	Youngs
Curtis			

On motion of Mr. Morgan, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause, and insert the following:

Section 1. Chapter 293 of the Laws of 1876, entitled "An act empowering the village of Wellsville to raise by tax a fund for the building of sidewalks," is hereby amended by adding thereto the two following sections:

§ 2. Any owner of lands contiguous to a public street, in the village of Wellsville, may notify the board of trustees of said village, in writing, that he desires to lay a stone sidewalk in front of such lands, under the provisions of this act. Upon receiving such notice, the said board may, by resolution, prescribe the width, grade, material and manner of building of such sidewalk, and at the time within which the same shall be completed. They may, also, provide by resolution in each case, that a portion of the expense of such sidewalk, to be by them determined, but in no case to exceed one-half, shall be paid by the village of Wellsville.

§ 3. Upon completing such sidewalk in the manner and time prescribed, such person shall be repaid the portion of the expense assumed by said village, as follows: Each year, for five successive years thereafter, such person shall be credited on the highway tax assessed on any lands in said village against him or her, the one-fifth part of the sum so assessed by said village, and he or she shall receive a certificate signed by the president and clerk of the village, stating that he or she is entitled to such credit. Such certificate shall be assignable, and the assignee shall be entitled to like credit upon any highway tax assessed against him or her. But said village shall not be liable to pay any sum for laying stone sidewalks, except in the manner herein provided.

§ 4. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 293 of the Laws of 1876, entitled 'An act empowering the village of Wellsville to raise by tax a fund for the building of sidewalks.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Davis	Low	Sisson
Baker, B. F.	Deane	McAvoy	Skinner
Baker, C. S.	Dougherty	McCarthy	Steele
Beach	Duell	Miller	Tallmadge
Beates	Duguid	Mitchell	Terpeny
Benedict, E. D.	Ellis	Mooers	Terry

Benediot, T. E.	Evans	Morgan	Thilemann
Bennett	Ferris	Newman	Titus
Bridges	Fiske	Nowlan	Tozier
Brodsky	Fitzgerald	Parker	Travis
Bullock	Gorsline	Peck	Treanor
Carpenter, E. A.	Gray	Phillips	Tuthill, H. H.
Carpenter, I. S.	Griggs	Pitcher	Tuttle, R. M.
Chase	Hagan	Potts	Van Valkenburgh
Chickering	Havens	Rhodes	Varnum
Clark	Hayes	Root	Waterbury
Clowes	Husted	Russell	Wells, D. A.
Comstock	Ingersoll	Sanders	Wells, J. L.
Congdon	Kennedy	Shanley	Weston
Cookinham	Lefever	Sheridan	Wren
Crapser	Liddle	Sherman	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 13, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Tallmadge moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sheridan
Andrews	Cushing	Low	Sherman
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Deane	McCabe	Skinner
Beach	Dougherty	McCarthy]	Steele
Beates	Douglass	Miller	Tallmadge
Benediot, E. D.	Duell	Mitchell	Terpeny
Benedict, T. E.	Ellis	Mooers	Terry
Bennett	Evans	Morgan	Thilemann
Bradley	Ferris	Newman	Titus
Bridges	Fiske	Nowlan	Tozier
Brodsky	Gorsline	Parker	Travis
Bullock	Gray	Peck	Treanor
Carpenter, E. A.	Grosse	Phillips	Tully
Carpenter, I. S.	Hagan	Pitcher	Tuthill, H. H.
Chase	Havens	Potts	Tuttle, R. M.
Chickering	Hayes	Rhodes	Van Valkenburgh
Childs	Howland]	Roberts	Varnum
Clowes	Husted	Root	Waterbury



Comstock  
Congdon  
Crapser  
Cullinan

Ingersoll  
Kennedy  
Lefever  
Liddle

Russell  
Sanders  
Seeley

Wells, D. A.  
Wells, J. L.  
Wren

On motion of Mr. Tallmadge, and by unanimous consent, said bill was amended as follows:

Section 1, line 2, strike out all after the word "through" and insert as follows: "any street or avenue in the city of Brooklyn, county of Kings, except upon the condition that the consent of the owners of one-half in value the property bounded on, and the consent also of the local authorities having the control of that portion of the street or avenue upon which it is proposed to construct or operate such railroad be first obtained, or in case the consent of such property owners cannot be obtained, the general term of the Supreme Court, in the district in which it is proposed to be constructed, may, upon application, appoint three commissioners, who shall determine, after a hearing of all parties interested, whether such railroad ought to be constructed or operated, and their determination, confirmed by the court, may be taken in lieu of the consent of the property owners.

Also, amend title so it shall read as follows:

"An act in relation to the erection, construction, maintenance and operation of elevated railways or extensions thereof, in the streets or avenues in the city of Brooklyn and county of Kings."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sheridan
Andrews	Curtis	Low	Sherman
Baker, B. F.	Davis	McAvoy	Sipp
Baker, C. S.	Deane	McCabe	Slingerland
Beach	Dougherty	McCarthy	Steele
Beates	Douglass	Miller	Tallmadge
Benedict, E. D.	Ellis	Mitchell	Terpeny
Benedict, T. E.	Evans	Mooers	Terry
Bennett	Ferris	Morgan	Thilemann
Bradley	Fiske	Newman	Titus
Brennan	Gibbs	Nowlan	Tozier
Brodsky	Gorsline	Parker	Travis
Bullock	Gray	Peck	Tully
Carpenter, I. S.	Hagan	Phillips	Tuthill, H. H.
Chase	Havens	Pitcher	Tuttle, R. M.
Chickering	Hayes	Potts	Varnum
Clark	Hoffman	Rhodes	Waterbury
Clowes	Husted	Roberts	Wells, D. A.
Comstock	Ingersoll	Root	Wells, J. L.
Congdon	Kennedy	Russell	Weston
Cookinham	Lefever	Sanders	Wren
Crapser	Liddle	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Hayes moved that bill No. 627, entitled "An act for the excavating, tunneling and bridging for transportation purposes within villages and cities of the State," be considered in the same committee of the whole, with the special orders heretofore set down for to-day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act relating to certain improvements in the city of New York."

"An act to provide for excavating, tunneling and bridging for transportation purposes within villages and cities of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tuthill, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 56 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Root
Andrews	Cookinham	Liddle	Russell
Baker, C. S.	Curtis	Low	Tallmadge
Beach	Davis	McCabe	Terry
Benedict, E. D.	Deane	Miller	Titus
Bradley	Douglass	Mitchell	Tozier
Bridges.	Duell	Morgan	Travis
Brodsky	Evans	Nowlan	Tuttle, R. M.
Bullock	Fiske	Parker	Van Valkenburgh
Carpenter, E. A.	Griggs	Peck	Varnum
Case	Grosse	Phillips	Wells, J. L.
Chickering	Hagan	Pitcher	Wren
Clark	Hayes	Potts	Youngs
Clowes	Husted	Roberts	Mr. Speaker

Those who voted in the negative, were

Benedict, T. E.	Gwinup	McDonald	Thilemann
Clancy	Havens	McTernan	Treanor
Dougherty	Hoffman	Rhodes	Tully
Duguid	McAvoy	Skinner	Walsh
Fitzgerald	McCarthy	Terpeny	Wiley

Mr. Husted moved to recommit said bill to the committee on affairs of cities, with instructions to report at any time, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hayes moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to lay all orders of business on the table, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bridges (introductory No. 1179), entitled "An act to legalize the official acts of Henry G. Wood, a notary public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Bridges, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the preamble and resolution introduced by Mr. Youngs, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate concurrent resolution (introductory No. 285), proposing an amendment to section 12 of article six of the Constitution, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Roberts, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 238), entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 252), entitled "An act to provide redress for injuries from defective highways," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 167), entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 144), entitled "An act to amend the Law of Evidence," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 276), entitled "An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,'" reported in favor of the

passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 236), entitled "An act to amend chapter 27 of the Laws of 1875, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes,'" reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was recommitted the Senate bill (introductory No. 531), entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relating to removing indictments to the Supreme Court from courts of oyer and terminer," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill replaced on order of third reading.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved*, That Senate bill No. 50, general orders No. 645, entitled "An act to provide for the appointment of a board of elections and of registers, canvassers, inspectors and poll clerks in the city of Brooklyn, and to fix their compensation," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 114), entitled "An act to prevent public exhibitions of women as pedestrians," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 279), entitled "An act to facilitate the distribution and division of the estate of George Bright, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Mitchell, and by unanimous consent, said bill was ordered to a third reading.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Tozier (introductory No. 1196), entitled "An act to incorporate the Knights of the Maccabees of the World," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

Mr. Tozier, from the committee on general laws, to which was referred the Senate concurrent resolution (introductory No. 307), entitled "Concurrent resolution proposing an amendment to section 1 of article 2 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said resolution committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Duell (introductory No. 1187), entitled "An act to provide for the revision of the local and special laws affecting public interest in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, and by unanimous consent, said bill was ordered to a third reading and printed.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1199), entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney, Oswego county, in aid of the New York and Midland Railroad," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 291), entitled "An act to require life insurance companies to attach a copy of all applications for insurance to policies issued by such companies," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge, passed April 16, 1866, and the several acts amending and supplementing the same.'"

"An act to incorporate the Empire Yacht Club of the city of New York."

"An act providing for the holding of the annual town meeting of the town of Esopus at three polls."

"An act for the better laying out and improving of that portion of the city of New York, between 144th and 155th streets, west of 8th avenue, and that other portion of said city between 10th avenue and Avenue St. Nicholas and 138th street continued, and the lands of the Female Academy of the Sacred Heart and 135th street continued."

"An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb, had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight, and for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting."

"An act establishing an agricultural experiment station."

"An act to amend chapter 27 of the Laws of 1876, entitled 'An act to further amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island.'"

A message from the Senate was received and read, informing of concurrence in the bills entitled as follows:

"An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge and Elizabeth King, wife of William King, the interest of the People of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized."

"An act to establish a cemetery in the town of Long Lake, Hamilton county."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned Senate bill entitled "An act relating to certain local improvements in the city of New York," with a message that they have concurred in the amendment made therein in the Assembly.

*Ordered*, That the Clerk return said bill to the Senate.

By unanimous consent,

Mr. Sanders offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on affairs of villages be discharged from the further consideration of the bill introduced by Mr. Low, "In relation to the appointment of a police justice of the village of Niagara Falls," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner moved that this House do now adjourn to meet on Monday evening at seven o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved*, That Assembly bill No. 563, entitled "An act to amend the act entitled 'An act to revise the charter of the city of Utica, passed February 28, 1862, as amended by the act entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, passed May 20, 1876,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Alvord, and at one o'clock and fifty minutes, the House adjourned.

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## MONDAY EVENING, MAY 17, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Albert Foster.

The journal of Friday was read and approved.

Mr. Alvord moved that this House do now take a recess until seven o'clock and thirty minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

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## \*HALF-PAST SEVEN.

The House again met.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:



STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 17, 1880. }

*To the Senate:*

It is my painful duty to announce to the Legislature the death of the Chief Judge of the Court of Appeals. On Friday, the 14th instant, at his home in the village of Albion, Sanford E. Church passed from this life, without note or warning. Almost in the twinkling of an eye the strong man was summoned while in active discharge of his official duties, into the presence of his Maker, the Great Judge of all. The tidings of his death have been everywhere received by the people with profoundest sorrow. Expressions denoting a deep sense of the great loss that has befallen the State are universal and unchallenged.

For nearly forty years Judge Church has been a conspicuous figure in the public affairs of the State. Possessing superior ability, an untiring devotion to duty, combined with high character and unquestioned integrity, he early secured the confidence of the people, and maintained it throughout his long and eventful career. Positive, fearless and consistent in his political course, and faithful to those who shared his views, he merited and enjoyed the favor of his party in a remarkable degree. In official service his record is an enviable one. As member of the Assembly, District Attorney, Lieutenant-Governor, Comptroller, member of the Constitutional Convention, and Chief Judge of the Court of Appeals, he acquitted himself with unusual credit. In every capacity or association he uniformly proved himself to be a leader of men. At the bar, in the councils of his party, and in all deliberative bodies, he occupied a place in the front rank, wielding an influence inferior to none, and equaled by few. In social life, his genial manners made him always a welcome guest, while the purity of his private life and the happiness of his domestic relations present a symmetry of character and an example worthy of emulation.

Called by the people to preside over our highest court just ten years ago to-day, Judge Church discharged his great trust with eminent success and fidelity. His former partisanship caused him, perhaps, in the beginning to be distrusted by many of opposite political opinions, but his impartiality and patriotic bearing soon dispelled every doubt; and it can now be truthfully said that never in the history of our State has the Appellate Court enjoyed the confidence of the people in a higher degree than during the period of his service as the presiding judge.

The awful suddenness with which this distinguished career has been arrested furnishes an admonition which we may well heed. By this mysterious dispensation of Providence should we not be warned again of the uncertainty of life? Although sudden deaths are of almost daily occurrence, it is only when a prominent life is thus removed that we pause for contemplation. Seldom is the nearness of the dreaded messenger so forcibly illustrated as in this instance. In a single hour this learned man, devoting his mind to the solution of legal questions, is changed into inanimate clay! A happy family, secure in the affections of a kind husband and fond parent, is plunged into the deepest affliction and bereavement!

Believing that the eminent character and distinguished public services of this statesman and jurist render his memory worthy of especial consideration, you are recommended to take such action as shall seem



appropriate, and to make suitable record of the appreciation by a grateful people of the devoted and intelligent labors of a faithful public servant.

ALONZO B. CORNELL.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

We, the representatives of the people of this State, bow with submission, but with deep sorrow, to the sad and sudden bereavement occasioned us by the death of Sanford E. Church.

A profound and able jurist: as Chief Judge of the Court of Appeals, his decisions challenge and receive the approbation of all men. A statesman: his record as Legislator, Lieutenant-Governor, Comptroller, and head of the finance committee of the last Constitutional Convention, is a bright and enduring monument to his skill, energy, foresight, unquestioned ability, and, above all, to his great purity of thought and action.

In his daily intercourse with his fellow-men, dignity was not lowered by his unrestrained intercourse with the humblest, nor was it elevated by his acknowledged equality in all things with the most refined and intellectual in the land.

Socially, he was loved by all; and in that nearer and closer intimacy of the family circle, his example as a loving husband, a kind, indulgent but judicious father, can well be followed by all. In his conduct and character, we can mark this phase of his life as not the least of his many virtues.

We tender to his stricken family the only sympathy in our power. The State and Nation are with you, mourners, at the bier of the great and good man.

Our Speaker will name, on the part of our body, five of our number, who will represent us at the funeral.

And we request our Clerk to cause this memorial to be properly engrossed and presented to the family of our departed friend.

*Resolved*, That we do now adjourn.

Mr. Phillips rose in his place and stated as follows:

I had thought that it would be my sad duty, inasmuch as I was the Representative on this floor from the home of Judge Church, to prepare and offer resolutions expressive of the sense of this House on this sorrowful occasion; but I cheerfully acceded to the suggestion that the gentleman from Onondaga, Mr. Alvord, would be the proper person to do so, for the reason that he was the oldest member, and that he had been associated with Judge Church, officially, many years ago. I most fully accord with the sentiments expressed in these resolutions. I feel that it is fit and proper that the representatives of the people in this Assembly should express officially the grief felt by the whole people.

Mr. Speaker, this distinguished statesman and jurist was no ordinary man, but a man possessed of great natural powers, qualities of mind and heart which placed him in the front rank of the ablest men of this State. Without the aid of wealth or influential friends, he educated himself for the profession of the law, and by his untiring perseverance and industry he developed those qualities of intellect and heart that at once made him the respected and beloved of all who knew him. I shall not at this time attempt to give a protracted his-

tory of this distinguished citizen, for neither the time nor the data at hand are sufficient to do justice to his revered memory. At the age of nineteen he settled in the village of Albion, Orleans county, where he soon commenced the study of the law, was admitted to practice, and very soon took high rank in his profession, and won his way to that distinction which made his name the pride of every citizen of his adopted county. He represented Orleans county on the floor of this House in the year 1842, at which time he was but twenty-seven years of age. It was in this city, and on the floor of this House, that he formed the acquaintance of the leading men of the Democratic party of the State, it being the party with which he had identified himself; and by his gentlemanly bearing he won a permanent place in their affections; by the exercise of a sound and discriminating judgment he won their confidence, and by his participation in the debates of that winter he challenged their admiration, and from that time he took rank as one of the trusted leaders of the Democratic party in the State.

It was here that he formed the acquaintance as fellow members of such men as John A. Dix, Horatio Seymour, Thomas T. Flagler and others less noted, many of whom have since carved for themselves conspicuous niches in the temple of fame. It was in debate with such men as these that Judge Church exhibited those qualities as a debater in which clearness and precision of statement, forcible expression, power of condensation of thought and argument into the smallest possible space, combined wit, sarcasm and invective, which so distinguished him as an advocate at the bar. In 1846 Judge Church was elected district attorney for the county of Orleans, and in 1850 he was elected Lieutenant-Governor of this State, running upon the same ticket with Horatio Seymour for Governor, who was at that election defeated. In 1859 he was re-elected Lieutenant-Governor. In 1857 he was elected Comptroller. He was a member of the Constitutional Convention of 1867, and in 1870 he was elected to the office of Chief Judge of the Court of Appeals, the duties of which office he continued to perform with marked ability until the day of his death. In none of these varied trusts confided to him by the people was he found wanting. He was never unmindful of his duty, but was ever faithful in season and out of season, guarding the interests of the whole people and performing every duty conscientiously and honestly, so strictly within the rule that no taint of official corruption has ever attached to his name.

Judge Church was a safe counselor and an able advocate. For a series of years the law firm of Church & Davis, composed of the deceased and Hon. Noah Davis, located at Albion, was recognized as the leading law firm in western New York. It was during these years of law practice that he displayed those qualities of mind and sound judgment which so pre-eminently fitted him for the office of Chief Judge, and made the people feel safe in trusting him at the head of the Court of Appeal, although without previous judicial experience. In the election to that office he received about 90,000 majority, notwithstanding the opposing candidate was one of the ablest and best men in the State. It is needless to say that the unexceptionable manner in which he performed the duties of that office justified his election.

Those who know his private life know that his public virtues were only paralleled by his private worth. It was at his home in his family

and among his neighbors that the real qualities of the man shone out. He was a kind husband, an indulgent parent, a true friend and an obliging neighbor. It was from those who knew him best there radiated a sentiment which found a response in the hearts of a large and influential portion of the democratic party, that he was the exponent of the best sentiments, ideas and principles of that organization, and they hoped to see him again leading them to victory. Now that is all ended. Death loves a shining mark. He comes on with reckless footsteps to the hall as well as to the hut. Without a cloud in sight, the sun is shining brightly, the air is odorous with the sweet perfumes of spring, no warning of danger, no thought of death, a thunderbolt crashes through the sky and one of the noblest and tallest oaks of our forest lies shivered and torn, and the resounding crash carries sadness and mourning throughout the land. As it has often been said, death is no respecter of persons. The high as well as the low must yield to his stroke. We are again warned and admonished by this dispensation to repeat the injunction:

"So live that when the summons comes to join  
The innumerable caravan that moves  
To that mysterious realm, where each shall take  
His chamber in the silent halls of death;  
Thou go not like the quarry slave, at night,  
Scourged to his dungeon, but sustained and soothed  
By an unfaltering trust, approach thy grave  
Like one who wraps the drapery of his couch  
About him, and lies down to pleasant dreams."

Mr. Alvord rose in his place and stated as follows:

The death knell of those who have been my companions in my busy past life is reverberating and re-echoing over the whole State. I have just learned, sir, that in my own native county, one born there, in circumstances similar to those of the man whom we mourn to night, has fallen by the wayside. An honored judge of the Supreme Court for sixteen years of his life, commencing in the walks of poverty, has laid himself down to die in the county of Onondaga within the last forty-eight hours, and this but follows the death of the Chief Judge of the Court of Appeals. I feel that it is my duty, although it is a sad and solemn privilege to speak upon this memorial occasion. Educated originally on the same field of politics, beginning almost at the same time, I met him more than forty years ago, in my work in that political field. I was a friend and known to Sanford E. Church. Intimately acquainted with his proceedings as a member of the Assembly of 1842, I was brought into immediate contact with him in 1858, in the first responsible official position which I held in this State. In the fall of 1857 he was elected Comptroller of this State, and I was elected a member of the Assembly, and at the subsequent assembling of the Legislature chosen to the responsible position which you, sir, now occupy. And I was in various official capacities brought into immediate and almost daily contact with him. While our lives moved apart politically to some extent thereafter, yet we always met as genial, cordial, warm-hearted friends. The political matters of the day brought us again in contact in 1867-'68, as members of the Constitutional Convention, and his noble eloquence, his firmness in regard to the rights of the people, his determination to throw around our Constitution a strong bulwark against any wrong to the treasury of the

State, are simple matters of record. Within the halls of the then Assembly chamber of this State, in that convention, no words of greater wisdom were spoken than by this man, none were listened to with so great attention, not only upon the part of the convention, but they were echoed and re-echoed throughout the length and breadth of the State, and there is impressed upon the Constitution under which we live to-day the handiwork performed by him at the behest of the people. In that convention he stood above and beyond all mere political anxieties and desires. He stood for the people, for he was of the people. He was always the friend of the people, whether they were low in the scale of humanity or among the best in the land. We must bow in humble submission to this Providence which has come upon us as a people. We know that so far as our great men are concerned, their record is written upon the hearts of the mass of the community, and whatever may have been the turmoil and the strife of politics, whatever may have been the divergence between men of equal minds, no man in this whole nation can rise up to-day and say that Sanford E. Church was any other than a man of single purpose, and that for the benefit of his country and his people. Throwing aside and disregarding in that strife that tried men's souls but a few years ago, taking off from him the shackles and trammels of party, he stood foremost in the ranks of the defenders of his country, and while he, educated as he was in a peculiar school of politics, has differed widely from the majority of this Assembly, there will be no more sincere mourners at this time when the clod of the valley shall fall upon him than the men who represent the dominant party in this Legislature.

Mr. Rhodes rose in his place and spoke as follows :

Mr. Speaker: I cannot let this memorial occasion pass without some recognition of the great qualities of heart and the great abilities of the man whose loss we mourn to-day. This body is closely associated with that other body of men just across the way, so dignified and so able, who are doing their work day by day, and hard work it is too, and as they lay down their lives one after another shall we not pause and ask ourselves, are they not overworked? It seems to me that this is the proper time for the consideration of this great question whether the best men in our whole State—and I may say in our whole nation—are not laying down their lives one by one in this service. It was my privilege through my profession to know Sanford E. Church slightly, and I may say that that acquaintance was always of the pleasantest and the kindest, and accompanied by that ready recognition for which he is so justly famous throughout the whole land. As has already been remarked none were too lowly for this recognition. He came to the bench which he graced with so much honor and ability in 1870, at the inauguration of the Court of Appeals under the amendment of the Constitution constructing that court upon its present basis. He was a man of great force of character, and pre-eminently qualified for the position he held from the outset, by reason of his great common sense and sound judgment, a man who had worked out for himself the enviable reputation of being true to his convictions, and in coming to those convictions he brought the force and experience of a well stored legal mind, balanced and trained by the study of character and human nature as well as the lore of books. I may say here that if any thing was pre-eminently the character of Chief Justice Church it was that he did not stop at books. It was

the mind with him. The confidence and esteem in which he was held by the bench and bar of the State is attested by the great weight which his opinions in the court of last resort were always given when cited. Judge Church sprung from that hardy class in our land who till the soil, and from which so many of the ablest minds and best men in our country come. Educated in the affairs of life which most concern the welfare of the whole people, and learning the principles of right and justice while being tutored in the economies which go to make the man, as such, whether he grace the bench, plead at the bar, attend the sick or in any of the numerous ways that make up the numberless vocations of life in this the greatest and grandest of all nations, he was well fitted for positions of great trust and responsibility. He had risen from the lowest walk in life to the most honorable and trusted position in the gift of the people of this great State. In taking such a position he was selected in a manner, unusual in this State, without previous experience on the bench of the Supreme Court. But his peculiar fitness for such a position seems to have been impressed upon the people and his record attests how well their choice was made. For no judicial mind ever occupied any position upon any bench of the State in whom the people had greater confidence and who brought to it a truer devotion to principle and better judgment. He had become, from his prominence in the affairs of the court over which he so ably presided, the central figure around which all the great questions upon which that tribunal has had occasion to pass were clustered, and the reports of that court bear the impress through the many years of his labors in it of his strong, vigorous and towering intellect tempered with good judgment. It seems to me that it is entirely fitting, after ten years of labor of the greatest mind that the courts of the State have ever seen, that the State of New York should drape herself in mourning for him.

Mr. C. S. Baker rose in his place and spoke as follows:

Mr. Speaker: The general grief which is expressed throughout the State over the death of Chief Justice Church is but a feeble echo of the great sorrow felt throughout the counties of Orleans and Monroe where, during nearly all his life, he was most intimately known and esteemed, as possessing in the highest degree those qualities which combine to make the statesman, jurist and friend—unchanged by height of public station or amount of power. In social life always genial and entertaining. Ever as courteous, considerate and affable to the poorest and humblest, as to the richest and proudest of his fellow citizens and neighbors. In every station of life the same kind and considerate friend and wise counselor. His death comes as a personal grief to all who knew him. While the highest and most honored will unite in paying sincere tribute to his memory, many among the poor and humble in Monroe and Orleans, where he was most intimately known, will mourn the loss of one who in private life had endeared himself to them by numberless acts of kindness. Judge Church was almost, if not quite, as much identified with the growth and prosperity of Monroe county as with Orleans. For some years, prior to his election as Chief Judge of the Court of Appeals, he resided in the city which I have the honor to represent in this House, and was recognized and honored as one of the ablest and purest members of the bar in Monroe county. My own acquaintance with him began during the second year of the war of the rebellion, and I have on more than a few



occasions in the early days of my own experience as a lawyer, found in him a willing and wise counsel, who was always regarded as the friend of every beginner in his profession. It is meet that we should, here and now, pay honor to the memory of our distinguished dead, and my own sense of personal loss must be my excuse for adding these few feeble words to what has already been so well and appropriately said.

Mr. Varnum rose in his place and spoke as follows :

Mr. Speaker: After what has been said it scarcely seems as if it were necessary for any one to say more to show the esteem and the regard in which the gentleman who has so lately passed away is held by the members of this House, but, sir, it affords me a gratification on this melancholy occasion to be able to say, as a member of this House, without regard to party affiliations, that I feel and believe that there is scarcely a citizen of the whole State of New York whose death would have been so deeply deplored as that of the distinguished man whose loss we now mourn. There is an old proverb, an old principle, which says that on an occasion like this there shall be said *nil de mortuis nisi bonum*, and it is right. It is right that the mantle of charity should be thrown around what faults a man may have, that after he has gone to his last rest we should consider mainly those good traits, which have distinguished him in his career in this world. But, Mr. Speaker, in this case there is no need for such charity. There is no need to draw the veil over a single action in the life of Sanford E. Church, a man pure in thought, in word and in deed; able and eloquent in his profession, straightforward and honest in his daily life, brilliant and successful as a legislator, as an officer and pre-eminently as a judge. It is unnecessary for me to allude to the early life of the distinguished gentleman; it has been already stated upon the floor of this House. Rising by degrees from a comparatively humble sphere, without education other than that afforded by the common schools of the country, he filled distinguished positions in the legislative halls, in the councils of the State and in the councils of the nation, the child of the soil, a son of America, the outgrowth of our American institutions; and here, Mr. Speaker, it seems, is the main lesson of the life of a man such as Sanford E. Church. In any other country success such as his with such a beginning would be impossible. It shows what I believe in, what we all believe in, that there is in our American institutions something at the bottom so honest, so true, so fair, that it is bound to preserve the republic from generation to generation, and we see Sanford E. Church without the advantages which are considered by many necessary in order to create a great judge, without a collegiate education, without a thorough and systematic drill in his early years, in spite of all these disadvantages rising until he became recognized as a great legislator, as a distinguished citizen of the State, becoming Comptroller, twice elected Lieutenant-Governor, and by the unanimous voice of his party in this State selected as its choice for the Presidency of the United States in 1868. Subsequently made the Chief Justice of the highest and grandest court which I venture to say exists in any State in this country. When we see the record of a life like this it seems to me that we feel a security in our American institutions. But there is more than this in the life of Sanford E. Church. It is a lesson showing what integrity, what honesty, what straightforwardness will do. In this body, in every public position that he held, in spite of all his political affiliations, in spite of every

thing that is conceived by many to lead a man from the correct track and course of action, in spite of all, I say, Sanford E. Church before friend and before foe stood ever unchallenged, not a slur, not a blot upon his reputation. Sir, it affords me pleasure as a member of the majority of this House to say that that majority will grieve as deeply as his own party, as his own immediate friends, at the loss of a statesman so pure, so eminent and so able. In a few short hours all that is left of Sanford E. Church will be laid down in the churchyard under the sod in his own native town and there a simple mound covering the mortal remains, over which the summer flowers will grow; but his memory will linger a precious heritage for his children, and not only that, but a precious heritage for the whole people of the State, for it will remind them of the life of a pure and noble son who, not hesitating to give his life to the public service, nevertheless preserved himself spotless through the whole of his long public career. It is a lesson for us all, it is a lesson for the people of the country and the people of the world. His course is run, his errand is done, but around the memory of Sanford E. Church there is such a halo of glory as I would like to see surround the memory of every member of this House. Mr. Speaker, I cordially second the resolutions.

Mr. McCarthy rose in his place and said :

Mr. Speaker : I desire, as one of the younger members of this House, and as a young lawyer, to add a few words to what has been said with regard to the memory of the lamented late Chief Judge of the Court of Appeals. But yesterday strong, vigorous, healthy; to-day silent and nothing heard but the footsteps of the mourners and the tears and the weeping of his bereaved family and sorrowing friends; but, yesterday presiding over the councils of the highest court of this State, to-day lamented, his decisions uncompleted, and the bench of the State deprived of its brightest ornament. History must and shall do him justice. The country has lost one of its greatest statesman, the bar has lost one of its ablest jurists, and the State one of its greatest protectors. His example, as has been stated before us, is one that we should all heed and follow; and there is no doubt if we follow the example set by him, we each of us, old and young, have some chance to leave behind us, when the great Creator calls us hereafter, some little memento, some little credit which will be accorded us by our fellow men. I also second the resolution, and offer the following resolution :

*Resolved*, That this body (the Senate concurring) direct that the message of His Excellency Alonzo B. Cornell, announcing the sad death of Hon. Sanford E. Church, together with all the proceedings thereunder, be published in pamphlet form, under the direction of the Clerks of the Senate and Assembly.

*Resolved*, That there be printed of said pamphlet 1,000 copies.

Mr. Speaker announced the following as a committee to attend the funeral :

Messrs. Phillips, Orleans; Rhodes, Rensselaer; Terry, Washington; Parker, Greene; Baker, Monroe.

Mr. Speaker then put the question whether the House would agree to the resolutions offered by Mr. Alvord, and it was unanimously determined in the affirmative, by a standing vote.

In respect to the memory of the late Chief Justice, Sanford E. Church, the House, at 8 o'clock and 20 minutes, adjourned until tomorrow morning at 10 o'clock.



## TUESDAY MORNING, MAY 18, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Patterson.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Kneeland Townsend, a former member of this House.

Mr. Titus called from the table the report of the sub-committee of the whole in words following :

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 915, printed No. 757, entitled "An act for the relief of Philip Hathaway," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 807, printed No. 684, entitled "An act to provide for payment of the expense of certain proceedings against public officers in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 940, printed No. 767, entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," reported in favor of the passage of the same, without amendment.

- Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 912, printed No. 754, entitled "An act to amend act chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 353, printed No. 327, entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 628, printed No. 552, entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 791, printed No. 672, entitled "An act to amend chapter 427 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 674, printed No. 589, entitled "An act to

authorize the Equity Gas Light Company of the eastern district of the city of Brooklyn to change its name," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 959, printed No. 779, entitled "An act to amend section 4 of chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,'" passed April 5, 1813, and of the several acts amendatory thereof, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 8, strike out the words "and which."

Also amend the title by striking out the words "Passed April 5, 1813."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 798, printed No. 677, entitled "An act to amend chapter 320 of the Laws of 1850, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 601, printed No. 528, entitled "An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 913, printed No. 755, entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "Passed April 27, 1847."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 831, printed No. 703, entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out word "heretofore."

Line 2, after the word "provided" strike out all down to and including word "sixty-nine" in line 4.

Section 2, strike out lines 3, 4, 5, 6, including word "Kings" in line 7.

Section 3, line 4, strike out word "thirty."

Line 7, strike out word "thirty."

Line 11, strike out word "thirty;" also the words "after the filing of the map and description of said avenue."

Line 15, after the word "and" strike out all down to and including the word "thereby" in line 17.

Section 4, line 4, strike out the words "curbed and guttered."

Line 5, strike out the words "curbing and guttering."

Line 11, strike out the words "one-half of."

Line 20, after the word "avenue" strike out the remainder of the section.

Section 5, line 4, strike out word "three."

Line 5, strike out word "seven."

Section 6, line 6, strike out word "seven."

Line 8, strike out word "three."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 986, printed No. 795, entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction and the time in which the same may be brought," reported in favor of the passage of the same, with an amendment as follows:

To amend the bill by striking out the "Preamble."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 860, printed No. 722, entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester,'" reported in favor of the passage of the same, without amendment.

• Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 668, printed No. 584, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 681, printed No. 595, entitled "An act relating to the title of personal property," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 477, printed No. 102, entitled "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased," reported in favor of the passage of the same, with amendments as follows:

To amend section 1 of the engrossed bill by striking out all after the word "authorized" in line 2, down to and including the word "of" in line 4, and inserting "and directed to examine the claim made against said city by;" line 10, after the word "two" insert "and;" to add at the end of section 1 the following: "The said comptroller shall fix and determine the fair, just and reasonable amount to be paid, and such determination shall be filed in the finance department."

To insert as section 2 as follows:

§ 2. The said comptroller shall certify the amount so fixed and determined by him to the board of estimate and apportionment of said city, which board shall thereupon make an appropriation for the payment thereof, which appropriation shall be included in the final estimate made by said board for the year 1880, and shall be certified by the comptroller to the supervisors of the county of New York as a part of the said estimate, and the comptroller shall pay the amount so fixed and determined by him and appropriated by the board of estimate and apportionment, upon receiving a release of such claim in favor of the city.

To change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 923, printed No. 295, entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 142, printed No. 13, entitled "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 819, printed No. 225, entitled "An act to amend chapter 415 of the Laws of 1863, entitled 'An act to amend section first of chapter 416 of the Laws of 1862,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 935, printed No. 232, entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 678, printed No. 150, entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 938, printed No. 251, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 726, printed No. 206, entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," reported in favor of the passage of the same, with amendments, as follows:

Section 5, line 13 of engrossed bill, strike out the word "works" and insert "parks."

Section 6, line 3, strike out the words "one month" and insert "three months;" also, after the word "avenues," in line 13, strike out the remainder of the section.

Section 8, line 5, after the word "issue" insert "from time to time as required;" line 13, after the word "dollars" insert "in all whereof not exceeding seventy-five thousand dollars shall be;" line 16, after the word "annum" insert "the balance thereof with interest at six per cent per annum shall be payable on the first day of November, 1882."

Section 9, line 7, after the word "eighty-one" insert "and eighty-two;" line 7, after the word "pay" insert "in each said years one-half of the principal;" also, strike out in lines 7 and 8 the words "both principal and interest;" also, to add at the end of the section the words "together with the interest thereon."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 881, printed No. 233, entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for

the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879," reported in favor of the passage of the same, with amendments, as follows :

To amend the engrossed bill by adding as section 2 the following:

§ 2. Section 5 of said chapter 504 of the Laws of 1879 is hereby amended so as to read as follows:

§ 5. The board of police of the city of New York, upon the requisition of the board of health of the city of New York, shall detail to the service of the said board of health for the purpose of the enforcement of the provisions of this act, of chapter 908 of the Laws of 1867, in the said city, not exceeding thirty suitable officers and men of experience of at least five years' service in the police force, provided that the board of health shall pay monthly to the board of police a sum equal to the pay of all officers and men so detailed ; the officers and men shall belong to the sanitary company of police, and shall report to the president of the board of health. The board of health may report back to the board of police, for punishment, any member of said company guilty of any breach of orders or discipline, or of neglecting his duty; and thereupon the board of police may detail another officer or man in his place; and the discipline of the said members of the sanitary company shall be in the jurisdiction of the board of police; but at any time the board of health may object to the efficiency of any member of said sanitary company, and thereupon another officer or man may be detailed in his place. The board of police shall have the power, and it shall be their duty, to fill all vacancies in the police force of the city caused by the detailing of said officers and men upon the requisition of the board of health, and to make new appointments to said force equal in number to the officers and men now, or who may hereafter be detailed to the service of the board of health under and by virtue of the provisions of this act.

Change section 2 to section 3 ; also, change section 3 to section 4.

Also,

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 810, printed No. 687, entitled "An act to amend section 376 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 951, printed No. 774, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," reported in favor of the passage of the same, with amendments, as follows :

To add at the end of section 1 as follows: "In default of such agreement the court shall, in every case, appoint a referee, or the sheriff of the county in which such real estate is situated to execute its judgment or decree."

To add as section 2 the following: "All acts or parts of acts inconsistent herewith are hereby repealed."

Also to change section 2 to section 3.

Also to amend the title so that it will read:

"An act for the appointment of referees to sell real estate under judgments or decrees."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 939, printed No. 766, entitled "An act for



the relief of James B. Brady," reported in favor of the passage of the same, with amendments, as follows:

Section 1, line 1, after the word "authorize" insert "and required;" line 5, after the word "verified" strike out the remainder of section 1 and insert "or the Comptroller may, upon the application of said Brady, appoint a suitable person to act as referee, who shall without delay proceed to take testimony and examine all the facts and evidence bearing upon said claim, and report the testimony and certify to the Comptroller the amount in his judgment equitably due said Brady, and unpaid for work so performed, and said amount so certified with interest shall be deemed a valid claim against said city, to be by the Comptroller reported to the board of estimate and apportionment of said city."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 910, printed No. 753, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 970, printed No. 790, entitled "An act to provide for the rebuilding of Fulton market in the city of New York," reported in favor of the passage of the same, with amendments, as follows:

Section 3, line 1, after the word "standholders" insert "and cellar lessees;" line 2, strike out the words "for stands;" line 4, after the word "standholders" insert "or lessees."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 777, printed No. 663, entitled "An act to facilitate the collection of judgments," reported in favor of the passage of the same, with an amendment as follows:

To add as section 5 the following:

"The provisions of this act shall not apply to the county of Albany."

Change section 5 to section 6.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 908, printed No. 751, entitled "An act to amend 'An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 599, printed No. 526, entitled "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 946, printed No. 773, entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 809, printed No. 686, entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 870, printed No. 732, entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847,' " reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 888, printed No. 742, entitled "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 982, printed No. 794, entitled "An act to institute a State board of correction and pardons and county boards of correction," reported in favor of the passage of the same, with amendments as follows:

To add at the end of section 4 the following :

"The commissioners appointed under this section shall receive no compensation for their services, but all moneys paid out by them for their actual traveling or incidental expenses shall be repaid to them by the county treasurer of the county upon presentation of an account of the same duly certified; the medical officer appointed by the board of supervisors to visit the jail shall report, from time to time, to the commissioners appointed by this section, and shall make special examination of any prisoner if desired by said commissioners."

Section 5, line 2, strike out all after the word "correction" down to and including the second word "time" in line 6, and insert "the county board of correction shall regulate the sanitary arrangements and moral discipline in each jail, in a manner not inconsistent with the Laws of the State, and the rules and regulations of the State board of correction and pardons."

Section 6, line 17, after the word "statute" strike out all down to and including the word "application" in line 23; line 25, after the word "be" insert "forthwith;" lines 28 and 29, strike out the words "and publication of said application and notice may be omitted" and insert as follows: "in case the board of supervisors are not in session the sheriff shall serve a copy of such application on the chairman of the board immediately after its organization; if the board of supervisors shall desire to contest any of the allegations contained in such application they may present a statement in writing to said justice, and he may thereupon refer the application and statement to a referee to take testimony thereon and report the same with the findings of facts to said justice at a time to be specified in the order of reference for final hearing."

Section 12, line 2, after the word "of" insert "twenty-five hundred."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 476, printed No. 125, entitled "An act to provide for the payment of water bonds issued by the village of Goshen, in the county of Orange," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 836, printed No. 199, entitled "An act relating to certain buildings erected for county purposes in the city and county of New York," reported in favor of the passage of the same, without amendment.



Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 901, printed No. 179, entitled "An act making it a felony to steal, destroy or conceal a will, codicil, or other testamentary instrument," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 253, printed No. 41, entitled "An act to amend chapter 324 of the Laws of 1850, entitled 'An act for the preservation of the public health,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 560, printed No. 133, entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 953, printed No. 290, entitled "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 978, printed No. 257, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," reported in favor of the passage of the same, without amendment.

Mr. Shanley moved to recommit Assembly bill No. 774, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 966, printed No. 785, entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 933, printed No. 763, entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," reported in favor of the passage of the same, with an amendment as follows:

Section 1, line 2, strike out the words "and nomination."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 878, printed No. 735, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 466, printed No. 425, entitled "An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, strike out the words "or other employee;" strike out same words in line 5.

Section 3, line 4, after the word "any" insert "such."

Line 5, strike out word "the" and insert "such;" same line, strike out the words "or employees."

Line 6, after the word "disabled" insert "as."

Line 7, strike out second word "the" and insert "such;" also strike out the words "or employee" in lines 7 and 8.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 685, printed No. 598, entitled "An act to provide for the rebuilding of the market known as Jefferson Market, in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 941, printed No. 768, entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, after the word "authorized" insert "and directed;" also to amend the title by inserting after the word "authorize" the words "and direct."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 684, printed No. 597, entitled "An act to amend chapter 17 of the Laws of the second meeting of the fifty-first session of the Legislature of the State of New York, entitled 'An act to incorporate the contributors to the Northern dispensary of the city of New York,' passed November 28, 1828," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "Passed November 28, 1828."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 597, printed No. 524, entitled "An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," reported in favor of the passage of the same, with amendments as follows:

Section 3, lines 4 and 5, strike out the words "during the pleasure of the justice of the court for which they are appointed," and insert "for three years from the date of appointment;" line 18, strike out the words "or more;" line 24, after the word "money" strike out down to and including the word "city" in line 27.

To add as section 4 the following:

"§ 4. In case of a vacancy in the office of district court constable by reason of death, resignation or otherwise, the justice of the district court for which such constable is appointed shall fill such vacancy for the unexpired term."

Change section 4 to section 5; change section 5 to section 6.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1171, G. O. , printed No. , entitled "An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 519, printed No. 465, entitled "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of croton water, in the city of New York,'" reported in favor of the passage of the same, with amendments as follows:

Strike out all after the enacting clause and insert as follows:

Section 1. At any time after the passage of this act, and before the first day of April, 1881, any person may pay to the comptroller of the city of New York the amount of any regular rents and charges for croton water imposed upon any real property belonging to such person, and now remaining unpaid, together with interest thereon at the rate of 7 per cent per annum, to be calculated from the time that such rents and charges was imposed to the time of such payment. The comptroller shall make and deliver to the person making such payment a receipt therefor, and shall forthwith cancel the record of any such charges on the books of the finance department, and upon such payment being made such rent or charges shall cease to be a lien upon the property, and shall be deemed fully paid, satisfied and discharged, and there shall be no right to any further interest or penalty by reason of such tax not having been paid within the time heretofore required by law, or by reason of any statute passed requiring the payment heretofore of any interest or penalty over 7 per cent per annum upon any unpaid regular rents or charges for croton water.

§ 2. This act shall take effect immediately.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. No. 837, printed No. 135, entitled "An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 993, printed No. 368, entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 470, printed No. 123, entitled "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," reported in favor of the passage of the same, without amendment.

Mr. Newman moved to recommit Senate bill No. 232, entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brennan moved to recommit bill No. 794, entitled "An act to institute a State board of correction and pardons and county boards of correction," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cohen moved to recommit bill No. 766, entitled "An act for the relief of James B. Brady," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fiske moved to recommit bill No. 257, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, to be referred to the sub-committee of the whole, in words following:

No. 783, G. O. 965, Mr. E. D. Benedict: "An act for the better protection of manufacturing interests."

No. 634, G. O. 733, Mr. Cookinham: "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

No. 791, G. O. 974; Mr. E. A. Carpenter: "An act to authorize the supervisor of the town of Southampton, Suffolk county, to acquire landing places in and for the use of the inhabitants of said town."

No. 733, G. O. 872, Mr. Fish: "An act to amend chapter 252 of the Laws of 1879, entitled 'An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

No. 789, G. O. 969, Mr. Thilemann: "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879."

No. 758, G. O. 916, Mr. E. A. Carpenter: "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849.'"

Senate bill No. 402, G. O. 991, Mr. Bixby: "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York."

Senate bill No. 289, G. O. 988, Mr. Williams: "An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county."

Senate bill No. 254, G. O. 990, Mr. Williams: "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,' and also to amend chapter 455 of the Laws of 1851, entitled "An act to extend the 'act in relation to suits by and against joint-stock companies and associations,' to companies having a joint or common interest in property."

Senate bill No. 391, G. O. 1019, Mr. Hogan: "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county.'"

Senate bill No. 357, G. O. 1001, Mr. Williams: "An act for the relief of the Buffalo Surgical Infirmary."

Senate bill No. 255, G. O. 921, Mr. Fowler: "An act to amend chap-

ter 467 of the Laws of 1870, entitled 'An act in relation to the county courts.' "

Senate bill No. 200, G. O. 763, Mr. Williams: "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company.' "

Senate bill No. 286, G. O. 989, Mr. Hogan: "An act for the relief of Thomas Cottman." "

Senate bill No. 227, G. O. 749, Mr. Forster: "An act to amend the Code of Civil Procedure." "

Senate bill No. 75, G. O. 884, Mr. Forster: "An act to prevent the obstruction and incumbrance of docks, wharves and piers in the cities of New York and Brooklyn." "

No. 602, G. O. 689, Mr. Husted: "An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850.' "

No. 750, G. O. 907, Mr. Husted: "An act in relation to railroad corporations." "

Senate bill No. 312, G. O. 987, Mr. Robertson: "An act to make effectual judicial decrees against unknown owners." "

Senate bill No. 128, G. O. 743, Mr. Forster: "An act for the relief of Abel Crook." "

Senate bill No. 167, G. O. 761, Mr. Rockwell: "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township number 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton.' "

Mr. Alvord moved that bill No. 868, entitled "An act to amend chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes relating to grants of land under water,' " be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that bill No. 730, entitled "An act to organize a night medical service in the city of New York and to provide medical assistance in cases of sudden sickness or accident during the night time," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

*Resolved.* That the committee of the whole be discharged from the further consideration of Senate bill No. 356, entitled "An act to amend chapter 717 of Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or should be entitled to a dower in satisfaction and discharge thereof,' " and that the same be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Nowlan introduced a bill entitled "An act to authorize the



commissioner of highways of the town of Newark Valley in the county of Tioga to ascertain and establish the location of the several highways situated in said town, and to reduce descriptions thereof to writing, and to have the same recorded in the office of the town clerk of said town, in the place of the records thereof destroyed by fire on the 15th day of October, 1879," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nowlan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	McCarthy	Sisson
Baker, C. S.	Deane	McDonald	Skinner
Beach	Dougherty	McTernan	Slingerland
Beates	Douglass	Miller	Steele
Benedict, E. D.	Duell	Mitchell	Tallmadge
Benedict, T. E.	Duguid	Mooers	Terpeny
Bennett	Ellis	Nowlan	Terry
Bradley	Evans	Peck	Thilemann
Brennan	Ferris	Phillips	Titus
Brodsky	Fish	Pitcher	Tormey
Carpenter, E. A.	Gorsline	Potter	Tozier
Carpenter, I. S.	Gray	Potts	Travis
Case	Gwinup	Rhodes	Tuthill, H. H.
Oatlin	Hayes	Roberts	Tuttle, R. M.
Chamberlain	Hoffman	Root	Van Valkenburgh
Olancy	Howland	Russell	Varnum
Clowes	Husted	Seeley	Warner
Cohen	Ingersoll	Shanley	Waterbury
Congdon	Kennedy	Sheridan	Wells, D. A.
Cookinham	Lefever	Sherman	Wells, J. L.
Crapser	Liddle	Shuit	Weston
Curtis	McAvoy	Sipp	Youngs
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to authorize the trustees of the village of Pierpont, in the county of Rockland, to macadamize the highway in said village," was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 28, entitled "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 308, general orders No. 367, entitled "An act in relation to arrears of personal taxes in the city of New York," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 361, entitled "An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 20, entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constable in said village, and defining their jurisdiction, powers and duties,' " for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate returned the following resolution :

*"Resolved* (if the Senate concur), That 1,500 copies of the Thirty-second Annual Report of the State Museum of Natural History by the Regents of the University, with the accompanying papers, be printed and bound for the use of the said Regents, and 300 copies, in like manner, for the use of the Directors; all to be paid for according to the price stipulated in the contract for extra copies," with a message that they have concurred in the same, with the following amendments:

Strike out "Thirty-second Annual Report" and insert "Thirty-third Annual Report."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That there be printed, in paper covers, 1,000 copies of the Report of the Committee of the State Board of Charities, appointed to investigate the charges against the Society for the Reformation of Juvenile Delinquents, Randall's Island, New York, for the use of the State Board of Charities.

*Ordered*, That said resolution be referred to the committee on public printing.



A message from the Senate was received and read, informing of concurrence in the following resolutions :

*Resolved* (if the Senate concur), That there be printed, for the use of the Legislature, 3,000 copies of the Report of the Commissioners appointed to settle the Disputed Boundary Lines with the State of Connecticut.

*Ordered*, That the Clerk deliver said resolution to the State Printer.

Also,

*Resolved* (if the Senate concur), That there be printed, for each member of the Assembly of this Legislature, ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly ; the price of the same not to exceed \$2.50 per copy.

*Ordered*, That the Clerk deliver said resolution to the State Printer.

Mr. Speaker presented a communication from the officers in the city of New York relative to the West street improvement bill, in opposition thereto ; which was referred to the committee of the whole.

Privileges of the floor were granted to Hon. A. T. Smith.

A message was received from the Senate in words following :

IN SENATE, *May* 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows :

After the word "thereto," section 1, line 6, insert "The erection of said bridge is construed as being within the provisions for ordinary repairs, and as instead of the State bridge which formerly crossed the canal at Jessup street, said bridge having been removed."

Strike out all of section 2, and add in lieu thereof the following :

Section 2. The sum of \$1,000, or so much thereof as may be necessary for the construction of said bridge, is hereby appropriated out of the revenues of the canals.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Shuit
Baker, B. F.	Cushing	Kennedy	Sipp
Baker, C. S.	Davis	Lefever	Skinner
Beach	Deane	Liddle	Slingerland
Beates	Dougherty	Lindsay	Steele
Benedict, E. D.	Duell	Low	Tallmadge
Bradley	Duguid	McAvoy	Terpeny
Brennan	Evans	McCabe	Terry
Brodsky	Fish	McCarthy	Thilemann
Carpenter, E. A.	Fiske	McDonald	Titus
Carpenter, I. S.	Fitzgerald	Miller	Tozier

Case	Gorsline	Morgan	Treanor
Catlin	Gray	Nowlan	Tuthill, H. H.
Chamberlain	Griggs	Potter	Van Valkenburgh
Chase	Gwinup	Roberts	Warner
Chickering	Hagan	Root	Waterbury
Clark	Havens	Russell	Wells, D. A.
Cohen	Hayes	Seeley	Wells, J. L.
Comstock	Hoffman	Shanley	Weston
Congdon	Howland	Sheridan	Wren
Cookinham	Husted	Sherman	Youngs
Crapser			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Sherman
Andrews	Cullinan	Husted	Shuit
Baker, B. F.	Curtis	Ingersoll	Sipp
Baker, C. S.	Davis	Kennedy	Skinner
Beach	Deane	Lefever	Slingerland
Beates	Dougherty	Liddle	Steele
Bradley	Douglass	Low	Tallmadge
Brennan	Duell	McAvoy	Terpeny
Bridges	Duguid	McCabe	Terry
Brodsky	Evans	McCarthy	Thilemann
Bullock	Ferris	McDonald	Titus
Carpenter, E. A.	Fish	Miller	Tozier
Carpenter, I. S.	Fiske	Mooers	Travis
Case	Fitzgerald	Morgan	Treanor
Catlin	Gorsline	Nowlan	Van Valkenburgh
Chase	Gray	Peck	Varnum
Chickering	Griggs	Potter	Warner
Childs	Gwinup	Roberts	Waterbury
Clark	Hagan	Root	Wells, D. A.
Cohen	Havens	Russell	Wells, J. L.
Comstock	Hayes	Seeley	Weston
Congdon	Hoffman	Shanley	Wren
Cookinham	Howland	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May* 11, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the construction of a bridge over Erie canal at Tonawanda."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 1, line 4 of engrossed bill, after the word "Tonawanda" insert "Erie county;" line 11, after the word "bridge" insert "not exceeding ten thousand dollars."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Sheridan
Andrews	Dougherty	Liddle	Sherman
Baker, B. F.	Douglass	Lindsay	Shuit
Baker, C. S.	Duell	Low	Sipp
Beach	Duguid	McAvoy	Skinner
Beates	Evans	McCabe	Slingerland
Bennett	Ferris	McCarthy	Steele
Bradley	Fish	McDonald	Tallmadge
Brennan	Fiske	Miller	Terpeny
Bridges	Fitzgerald	Mooers	Terry
Brodsky	Gillette	Morgan	Thilemann
Carpenter, E. A.	Gorsline	Nowlan	Titus
Carpenter, I. S.	Gray	O'Connor	Tozier
Case	Griggs	Peck	Travis
Catlin	Gwinup	Pitcher	Treanor
Chamberlain	Hagan	Potter	Tuthill, H. H.
Chase	Havens	Potts	Waterbury
Chickering	Hayes	Roberts	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Comstock	Howland	Russell	Weston
Congdon	Husted	Sanders	Wiley
Cookinham	Ingersoll	Seeley	Wren
Crapser	Kennedy	Shanley	Youngs
Cullinan			

Those who voted in the negative, were

Curtis

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Shanley
Andrews	Cullinan	Lefever	Sheridan
Baker, B. F.	Davis	Liddle	Sherman
Baker, C. S.	Dougherty	Low	Shuit
Beach	Douglass	McAvoy	Sipp
Beates	Duell	McCabe	Skinner
Benedict, E. D.	Duguid	McCarthy	Slingerland
Bennett	Evans	McDonald	Steele
Bradley	Ferris	Miller	Tallmadge
Brennan	Fish	Mitchell	Terpeny
Bridges	Fiske	Mooers	Terry
Brodsky	Fitzgerald	Morgan	Thilemann
Bullock	Gillette	Nowlan	Titus
Carpenter, E. A.	Gorsline	O'Connor	Tozier
Carpenter, I. S.	Gray	Peck	Travis
Case	Griggs	Phillips	Treanor

Catlin	Gwinup	Pitcher	Van Valkenburgh
Chamberlain	Hagan	Potter	Warner
Chase	Hayes	Potts	Waterbury
Chickering	Hoffman	Roberts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Clowes	Hurd	Russell	Weston
Comstock	Husted	Sanders	Wren
Congdon	Ingersoll	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 13, 1880. }

*To the Assembly :*

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 195, entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Shanley
Andrews	Curtis	Kennedy	Sheridan
Baker, B. F.	Cushing	Lefever	Sherman
Baker, C. S.	Davis	Liddle	Shuit
Beach	Deane	Lindsay	Sipp
Beates	Dougherty	Low	Skinner
Benedict, E. D.	Douglass	McAvoy	Slingerland
Bennett	Duell	McCabe	Steele
Bradley	Duguid	McCarthy	Tallmadge
Brennan	Ellis	Miller	Terpeny
Bridges	Evans	Mooers	Terry
Brodsky	Ferris	Morgan	Thilemann
Carpenter, E. A.	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	O'Connor	Tozier
Case	Fitzgerald	Peck	Treanor
Catlin	Gillette	Phillips	Tuthill, H. H.
Chamberlain	Gorsline	Pitcher	Tuttle, R. M.
Chase	Gray	Potter	Van Valkenburgh
Chickering	Griggs	Potts	Warner
Clark	Gwinup	Roberts	Waterbury
Clowes	Hayes	Root	Wells, J. L.
Comstock	Hoffman	Russell	Weston
Congdon	Howland	Sanders	Wren
Cookinham	Husted	Seeley	Youngs
Crapser			

On motion of Mr. Husted, and by unanimous consent, said bill was amended in words following :

Section 1, line 1. after the word "person" insert "not a passenger."  
Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Hurd	Root
Andrews	Davis	Husted	Russell
Baker, B. F.	Deane	Ingersoll	Sanders
Baker, C. S.	Dougherty	Kennedy	Seeley
Beach	Douglass	Lefever	Sherman
Beates	Duell	Liddle	Shuit
Bennett	Duguid	Low	Sipp
Bradley	Ellis	McAvoy	Skinner
Brennan	Evans	McCabe	Slingerland
Bridges	Ferris	McCarthy	Steele
Brodsky	Fish	McDonald	Tallmadge
Bullock	Fiske	Miller	Terpeny
Carpenter, E. A.	Fitzgerald	Mooers	Terry
Carpenter, I. S.	Gillette	Morgan	Titus
Case	Gorsline	Nowlan	Tozier
Catlin	Gray	O'Connor	Tuthill, H. H.
Chamberlain	Griggs	Peck	Van Valkenburgh
Chase	Grosse	Phillips	Warner
Chickering	Gwinup	Pitcher	Waterbury
Clowes	Havens	Potter	Wells, J. L.
Congdon	Hayes	Potts	Weston
Cookinham	Hoffman	Roberts	Youngs
Curtis	Howland		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city," with a message that the vote on the final passage of said bill had been reconsidered, and the bill, as amended, passed, with the following further amendments:

Strike out, in the proposed amendment, the words "city attorney" wherever they occur and insert "mayor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Shanley
Andrews	Davis	Liddle	Sheridan
Baker, B. F.	Deane	Lindsay	Sherman
Baker, C. S.	Dougherty	Low	Shuit
Beach	Douglass	McAvoy	Skinner
Beates	Duell	McCabe	Slingerland

Benedict, T. E.	Duguid	McCarthy	Steele
Bennett	Evans	McDonald	Tallmadge
Bradley	Ferris	Miller	Terpeny
Brennan	Fish	Mooers	Terry
Bridges	Fiske	Morgan	Titus
Brodsky	Fitzgerald	Nowlan	Tozier
Bullock	Gillette	O'Brien	Travis
Carpenter, E. A.	Gorsline	O'Connor	Treanor
Carpenter, I. S.	Gray	Peck	Tully
Case	Griggs	Phillips	Tuthill, H. H.
Catlin	Grosse	Pitcher	Van Valkenburgh
Chamberlain	Gwinup	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Clark	Hoffman	Roberts	Wells, D. A.
Clowes	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Weston
Congdon	Husted	Sanders	Wren
Cookinham	Ingersoll	Seeley	Youngs
Curtis	Kennedy		

*Ordered.* That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 17, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 611, entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Baker, B. F.	Cushing	Liddle	Sipp
Baker, C. S.	Davis	Lindsay	Skinner
Beach	Deane	Low	Slingerland
Beates	Dougherty	McAvoy	Tallmadge
Benedict, T. E.	Douglass	McCabe	Terpeny
Bennett	Duell	McCarthy	Terry
Bradley	Duguid	McDonald	Thilemann
Brennan	Ellis	Miller	Titus
Bridges	Evans	Mitchell	Tormey
Brodsky	Ferris	Mooers	Tozier
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Fiske	O'Connor	Treanor
Carpenter, I. S.	Gillette	Peck	Tuthill, H. H.
Case	Gorsline	Phillips	Tuttle, R. M.
Catlin	Gray	Pitcher	Van Valkenburgh
Chamberlain	Griggs	Potter	Varnum

Chickering	Grosse	Potts	Warner
Childs	Hayes	Roberts	Waterbury
Clark	Hoffman	Root	Wells, D. A.
Clowes	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Husted	Seeley	Wren
Cookinham	Ingersoll	Sheridan	Youngs

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 12, after the word "less" insert the words "than one month nor more;" same section and line, after the words "fine of" insert the words "not exceeding;" same section and line, after the word "dollars" insert the words "in the discretion of the court;" same section, line 14, strike out the words "less than \$100 nor;" same section, line 15, after the word "offense" insert the words "in the discretion of the court."

Section 2, line 4, after the word "fined" insert the words "not exceeding;" same section, line 5, after the words "period of" insert the words "not exceeding;" same section and line, after the words "six months" insert the words "in the discretion of the court;" same section, lines 6 and 7, strike out from and including the word "not," line 6, to and including the word "and," line 7; after the word "offense," line 7, same section, insert the words "in the discretion of the court."

Section 3, lines 2 and 3, strike out the words "shall be forfeited and are hereby declared contraband and shall" and insert in lieu thereof the words "may in the discretion of the court or justice be adjudged forfeited and contraband, and may by the court or justice be ordered to."

Correct the title by striking out the words "State of New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Russell
Andrews	Curtis	Husted	Sanders
Baker, B. F.	Cushing	Ingersoll	Seeley
Baker, C. S.	Davis	Kennedy	Sheridan
Beach	Deane	Lefever	Sherman
Beates	Dougherty	Liddle	Shuit
Benedict, T. E.	Douglass	Lindsay	Sipp
Bennett	Duell	Low	Skinner
Bradley	Duguid	McAvoy	Slingerland
Brennan	Ellis	McCabe	Tallmadge
Bridges	Evans	McCarthy	Terpeny
Brodsky	Ferris	McDonald	Terry
Bullock	Fish	Miller	Titus
Carpenter, E. A.	Fiske	Mitchell	Tormey
Carpenter, I. S.	Fitzgerald	Mooers	Tozier
Case	Gillette	Nowlan	Travis
Catlin	Gorsline	O'Connor	Treanor
Chase	Gray	Peck	Van Valkenburgh



Chickering	Griggs	Phillips	Varnum
Childs	Gwinup	Pitcher	Warner
Clark	Havens	Potter	Waterbury
Clowes	Hayes	Potts	Wells, D. A.
Comstock	Hoffman	Roberts	Wells, J. L.
Congdon	Howland	Root	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 153, entitled "An act declaring Independence river and its tributaries in Lewis and Herkimer counties a public highway," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Low introduced a bill entitled "An act to amend chapter 373, Laws of 1876, entitled an act to provide for the formation of road districts in certain cases within the corporate jurisdiction of plank and turnpike road companies, and for the maintenance and improvement of roads therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The committee of conference, to which was referred the matter in difference between the two Houses upon the Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," beg leave respectfully to report that they met and duly considered the matter in difference, and have agreed to recommend that the Senate concur in the following amendments to the bill as proposed by the Assembly.

Section 1, line 11, after the word "within" strike out "five" and insert in lieu thereof the word "three."

Line 12, same section, after the word "Hook" insert "or Long Island or New Jersey shore."

Line 13, same section, after the word "Sound" insert the words "and all waters adjacent thereto."

Strike out all of section 4, and make sections 5 and 6 sections 4 and 5, respectively.

Section 5, strike out all after the word "monthly" in line 17.

And your committee have further agreed to recommend that the Assembly do recede from the following amendments to the bill as proposed and adopted by the Assembly, namely:

In section 5, line 1, after the word "the," and before the word "commissioners," insert "police," and in same section, lines 1 and 2, strike out the words "sinking fund of the."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sipp
Andrews	Deane	McAvoy	Skinner
Baker, B. F.	Dougherty	McCabe	Slingerland
Baker, C. S.	Douglass	McCarthy	Steele
Beach	Duell	McDonald	Tallmadge
Beates	Duguid	Miller	Terpeny
Bennett	Ellis	Mitchell	Terry
Bradley	Evans	Mooers	Thilemann
Brennan	Ferris	Morgan	Titus
Bridges	Fish	Newman	Tormey
Brodsky	Fiske	Nowlan	Tozier
Carpenter, E. A.	Fitzgerald	O'Connor	Travis
Carpenter, I. S.	Gillette	Peck	Treanor
Case	Gorsline	Phillips	Tully
Catlin	Gray	Pitcher	Tuthill, H. H.
Chamberlain	Griggs	Potter	Tuttle, R. M.
Chickering	Hayes	Potts	Van Valkenburgi.
Childs	Hoffman	Roberts	Varnum
Clancy	Howland	Root	Warner
Clark	Hurd	Russell	Waterbury
Clowes	Husted	Sanders	Wells, D. A.
Comstock	Ingersoll	Seeley	Wells, J. L.
Congdon	Kennedy	Sheridan	Weston
Cookinham	Lefever	Sherman	Wren
Curtis	Liddle	Shuit	Youngs
Cushing	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message requesting their concurrence in the amendments offered by the conference committee.

The Senate returned Assembly bill entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State, and to amend, etc.," with a message that they have passed the same, with the following amendments:

Section 1, line 1, strike out the words "bonds and ;" line 9, after "statutes" insert "entitled of the United States Deposit Fund."

Strike out all of section 3; make section 4 section 3.

Amend the title as follows: Add at end thereof, "And to amend title 14 of chapter 9 of part 1 of the Revised Statutes, entitled 'of the United States Deposit Fund.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sheridan
Andrews	Cushing	Kennedy	Sherman

Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sipp
Beach	Dougherty	Low	Skinner
Beates	Douglass	McAvoy	Slingerland
Bennett	Duell	McCabe	Tallmadge
Bradley	Duguid	McCarthy	Terpeny
Brennan	Ellis	McDonald	Terry
Bridges	Evans	Miller	Titus
Brodsky	Ferris	Mitchell	Tormey
Carpenter, E. A.	Fish	Mooers	Tozier
Carpenter, I. S.	Fiske	Newman	Travis
Case	Fitzgerald	Nowlan	Treanor
Catlin	Gorsline	O'Connor	Tully
Chickering	Gray	Peck	Van Valkenburgh
Childs	Griggs	Pitcher	Warner
Clark	Grosse	Potter	Waterbury
Clowes	Havens	Potts	Wells, D. A.
Cohen	Hayes	Roberts	Wells, J. L.
Comstock	Hoffman	Root	Weston
Cushing	Howland	Russell	Wiley
Cookinham	Hurd	Sanders	Wren
Crapser	Husted	Seeley	Youngs
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego,'" with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 2, engrossed bill, after the word "by" insert "notice in."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Sherman
Andrews	Cushing	Kennedy	Shuit
Baker, B. F.	Davis	Lefever	Sipp
Baker, C. S.	Deane	Liddle	Skinner
Beach	Dougherty	Lindsay	Slingerland
Beates	Douglass	Low	Steele
Benedict, E. D.	Duell	McAvoy	Tallmadge
Bennett	Duguid	McCabe	Terpeny
Bradley	Ellis	McCarthy	Terry
Brennan	Evans	McDonald	Titus
Bridges	Ferris	Miller	Tormey
Brodsky	Fish	Mitchell	Tozier
Carpenter, E. A.	Fiske	Mooers	Travis
Carpenter, I. S.	Fitzgerald	Newman	Tully
Case	Gillette	Nowlan	Tuthill, H. H.
Catlin	Gorsline	O'Connor	Tuttle, R. M.
Chickering	Gray	Peck	Van Valkenburgh
Childs	Griggs	Pitcher	Varnum
Clark	Grosse	Potter	Warner

Clowes	Gwinup	Potts	Waterbury
Cohen	Hayes	Roberts	Wells, D. A.
Comstock	Hoffman	Root	Wells, J. L.
Congdon	Howland	Russell	Weston
Cookinham	Hurd	Sanders	Wren
Crapser	Husted	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," with a message that they do assent to a committee of conference thereon, and have appointed as such committee on their part Messrs. Strahan, Halbert and Murtha.

The Senate returned Assembly bill entitled "An act concerning the supply of pure and wholesome water for the city of New York," with a message that they do non-concur in the passage of the same.

The Senate returned Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as said act relates to the village of Wolcott,'" with a message that they have concurred in the same, with the following amendments:

Section 1, line 4, after the word "villages" insert "as amended by chapter 628 of the Laws of 1874."

Amend the title so as to read as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, as amended by chapter 628 of the Laws of 1874, so far as said act relates to the village of Wolcott.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sheridan
Andrews	Deane	Low	Sherman
Baker, B. F.	Dougherty	McAvooy	Shuit
Baker, C. S.	Douglass	McCabe	Sipp
Beach	Duell	McCarthy	Skinner
Beates	Duguid	McDonald	Slingerland
Bradley	Evans	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mitchell	Terry
Brodsky	Fitzgerald	Mooers	Titus
Bullock	Gillette	Morgan	Tozier
Carpenter, E. A.	Gorsline	Newman	Travis
Carpenter, I. S.	Gray	Nowlan	Treanor
Case	Grosse	O'Connor	Tuthill, H. H.
Catlin	Gwinup	Peck	Tuttle, R. M.
Chamberlain	Hayes	Pitcher	Van Valkenburgh
Chickering	Hoffman	Potter	Varnum
Clark	Howland	Potts	Warner
Clowes	Hurd	Roberts	Waterbury
Comstock	Husted	Root	Wells, D. A.
Congdon	Ingersoll	Russell	Wells, J. L.
Cookinham	Kennedy	Sanders	Weston
Crapser	Lefever	Seeley	Wren
Curtis	Liddle	Shanley	Youngs
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1182), entitled "An act to facilitate the speedy and economical disposition of refuse from the city of New York," reported the same complete by order of the House, which report was agreed to and said bill ordered to be engrossed for a third reading.

The Senate returned Assembly bill entitled "An act to exempt the counties of Saratoga, Albany and Fulton from the provisions of act chapter 733, Laws of 1872, entitled 'An act making appropriations for certain expenses of government, and for supplying deficiencies in further appropriations, so far as it authorizes the employment of assistant counsel to the district attorney of any county,'" with a message that they have concurred in the passage of the same with the following amendments, viz.:

Section 1, line 1, after the word "Albany" insert "Jefferson."

Amend title by inserting "Jefferson" after the word "Albany" in line 2.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Cushing	Kennedy	Sheridan
Baker, B. F.	Davis	Lefever	Sherman
Baker, C. S.	Dougherty	Liddle	Shuit
Beates	Douglass	Low	Sipp
Bennett	Duell	McAvoy	Skinner
Bradley	Duguid	McCabe	Slingerland
Brennan	Ellis	McCarthy	Tallmadge
Bridges	Evans	McDonald	Terry
Brotsky	Ferris	Miller	Thilemann
Carpenter, E. A.	Fish	Mitchell	Titus
Carpenter, I. S.	Fiske	Mooers	Tozier
Case	Fitzgerald	Newman	Travis
Catlin	Gillette	Nowlan	Tully
Chickering	Gorsline	O'Connor	Tuthill, H. H.
Childs	Gray	Peck	Van Valkenburgh
Clark	Griggs	Phillips	Varnum
Clowes	Grosse	Pitcher	Warner
Cohen	Gwinup	Potter	Waterbury
Comstock	Hayes	Potts	Wells, D. A.
Congdon	Hoffman	Roberts	Wells, J. L.
Cookinham	Howland	Root	Weston
Crapser	Hurd	Russell	Wren
Cullinan	Husted	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for

a contingent deficiency in the revenues of the canals for the calendar year 1880," with a message that they have concurred in the passage of the same, with the following amendments:

Insert after line 54, section 1, printed bill, the following:

"To pay an award made by the Canal Appraisers on the 19th day of March, 1880, in favor of Harriet Jenkins, the sum of \$725.50 is hereby appropriated, payable on the warrant of the Auditor out of any unexpended moneys in the treasury belonging to the canal fund and applicable therefor."

Also, insert after line 76, section 1, printed bill, the following:

"For raising and repairing road-bed, in the town of Fort Ann, pursuant to chapter 544 of the Laws of 1870, the sum of \$1,500, or so much thereof as may be necessary."

"For the drainage of lands belonging to Isaac U. Cole, situate in the town of Murray, Orleans county, near McGuire's bridge; the drainage of which is cut off by the Erie canal, by cleaning out and extending a ditch made by the State for such drainage, or by such other method for draining the same as the Superintendent of Public Works may deem best, the sum of \$1,000, or so much thereof as may be necessary."

Also, insert after line 10, section 2, printed bill, the following:

§ 3. In addition to the sum of \$633,901.35 appropriated by act chapter 269 of the Laws of 1879, for the payment of the expenses of lock tending and the ordinary repairs of the canals for the fiscal year ending September 30, 1880, the further sum of \$46,151.46 is hereby appropriated for the ordinary repairs from the revenues of said fiscal year; and any portion of the sum of \$40,000 appropriated in said act for the payment of incidental and miscellaneous charges which may not be needed therefor may also be applied and expended, if necessary, in the ordinary repairs of the canals for the current fiscal year.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Cushing	Kennedy	Sheridan
Baker, B. F.	Davis	Lefever	Sherman
Baker, C. S.	Deane	Liddle	Shuit
Beach	Dougherty	Lindsay	Sipp
Beates	Douglass	Low	Skinner
Benedict, T. E.	Duell	McAvoy	Slingerland
Bennett	Duguid	McCabe	Tallmadge
Bradley	Ellis	McCarthy	Terpeny
Brennan	Evans	McDonald	Terry
Bridges	Ferris	Mead	Titus
Brodsky	Fish	Miller	Tozier
Carpenter, E. A.	Fitzgerald	Mitchell	Travis
Carpenter, I. S.	Gillette	Mooers	Treanor
Case	Gorsline	Morgan	Tuthill, H. H.
Catlin	Gray	Newman	Tuttle, R. M.
Chamberlain	Griggs	Nowlan	Van Valkenburgh
Chickering	Grosse	O'Connor	Varnum

Childs	Gwinup	Peck	Warner
Clark	Hagan	Pitcher	Waterbury
Clowes	Havens	Potter	Wells, D. A.
Comstock	Hayes	Potts	Wells, J. L.
Congdon	Hoffman	Roberts	Weston
Cookinham	Howland	Root	Wiley
Costello	Hurd	Russell	Wren
Crapser	Husted	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, engrossed bill, after word "mortgages" insert "which have been properly acknowledged so as to entitle the same to be recorded."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Comstock	Low	Sipp
Andrews	Cookinham	McAvoy	Skinner
Baker, B. F.	Deane	Mead	Slingerland
Baker, C. S.	Douglass	Miller	Tallmadge
Beach	Evans	Mitchell	Terpeny
Beates	Ferris	Newman	Terry
Benedict, E. D.	Fish	Nowlan	Titus
Benedict, T. E.	Gillette	Pitcher	Tormey
Bradley	Gray	Potter	Tozier
Brennan	Grosse	Potts	Travis
Bridges	Hagan	Roberts	Treanor
Brodsky	Hayes	Root	Varnum
Carpenter, E. A.	Howland	Russell	Warner
Carpenter, I. S.	Husted	Sanders	Waterbury
Case	Kennedy	Seeley	Wells, D. A.
Chickering	Lefever	Shanley	Wells, J. L.
Childs	Liddle	Sherman	Weston
Clark	Lindsay	Shuit	Wren
Clowes			

Those who voted in the negative, were

Cohen	Davis	Gwinup	Havens
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*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," with a message that they have concurred in the same, with the following amendments:

Section 5, of engrossed bill, strike out all down to and including the word "that" in the 13th line.



Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Davis	Lindsay	Sipp
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McAvoy	Slingerland
Beates	Douglass	McCabe	Tallmadge
Benedict, E. D.	Duell	McCarthy	Terpeny
Bennett	Duguid	McDonald	Terry
Bradley	Ellis	Miller	Titus
Brennan	Evans	Mitchell	Tormey
Bridges	Ferris	Mooers	Tozier
Brodsky	Fish	Newman	Travis
Carpenter, E. A.	Gillette	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gorsline	O'Connor	Tuttle, R. M.
Case	Gray	Peck	Van Valkenburgh
Catlin	Griggs	Pitcher	Varnum
Chamberlain	Gwinup	Potter	Warner
Chickering	Hayes	Potts	Waterbury
Childs	Hoffman	Roberts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.
Clowes	Hurd	Russell	Weston
Cohen	Husted	Sanders	Wren
Comstock	Ingersoll	Seeley	Youngs
Congdon	Kennedy	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act in relation to the county treasurers in the counties of Monroe and Seneca," with a message that they have passed the same, with the following amendments:

Section 2, line 10, after the word "counties" insert "and in the city of Rochester to the treasurer thereof."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sherman
Andrews	Curtis	Lefever	Shuit
Baker, B. F.	Cushing	Liddle	Sipp
Baker, C. S.	Davis	Low	Skinner
Beach	Deane	McAvoy	Slingerland
Beates	Dougherty	McCabe	Tallmadge
Benedict, E. D.	Douglass	McCarthy	Terpeny
Bennett	Duell	McDonald	Terry
Bradley	Duguid	Mead	Titus
Brennan	Ellis	Miller	Tormey

Bridges	Evans	Mitchell	Tozier
Brodsky	Ferris	Newman	Travis
Carpenter, E. A.	Fish	Nowlan	Tully
Carpenter, I. S.	Gillette	O'Connor	Tuthill, H. H.
Case	Gorsline	Peck	Tuttle, R. M.
Catlin	Gray	Pitcher	Van Valkenburgh
Chamberlain	Griggs	Potter	Warner
Chickering	Gwinup	Potts	Waterbury
Childs	Hayes	Roberts	Wells, D. A.
Clark	Hoffman	Root	Wells, J. L.
Clowes	Howland	Russell	Weston
Cohen	Hurd	Sanders	Wiley
Comstock	Husted	Seeley	Wren
Congdon	Ingersoll	Sheridan	Youngs

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert as follows:

Section 1. Section 1 of chapter 431 of the Laws of 1879, entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," is hereby amended so as to read as follows:

§ 1. Section 60 of article 4 of title 1, chapter 16 of the Revised Statutes, is amended so as to read as follows:

§ 60. In all cases of the alteration of any road or the laying out of any new road, except where the same is altered, opened or laid out with the consent in writing of the owner or owners of the lands to be taken for such alteration or opening; the person or persons applying for the same shall serve a notice on the town clerk of the town and on a justice of the peace and the commissioner or commissioners of highways thereof, asking for a jury to certify to the necessity of the same, and specifying a time, not less than ten nor more than twenty days from the time of serving such notice, when such jury will be drawn at the clerk's office of the town by the town clerk thereof, and shall notify in writing each of the owners or occupants through which such alterations or new road is proposed to be laid, of the time and place of drawing such jury, by personally serving such notice on such owner or occupant at least five days before the drawing of such jury, or by mailing a copy thereof at least eight days before such drawing to such owner or owners, in the manner prescribed by law for the service of legal notices. At the time and place mentioned, the town clerk of such town having received such notice that such jury is to be drawn, shall, in the presence of a justice of the peace or one of the commissioners of highways of the town, deposit in a box the names of all persons then residents of his town, whose names are on the lists filed in said town clerk's office, of those selected and returned as jurors, pursuant to article second, title 4, chapter 7, part third of the Revised Statutes, who are not interested in the lands through which such road is to pass or be located, nor of kin to the owner thereof; and shall publicly, in the presence of such justice of the peace or commissioner, draw therefrom the names of

twelve persons, and shall make a certificate of such names and the purposes for which they were drawn, and shall deliver the same to the person asking for the jury, and the applicant for such jury shall pay to the said town clerk one dollar for drawing such jury. The applicant for such road or alteration of a road, on receiving such certificate, shall deliver the same to a justice of the peace of the town wherein the road is to be laid ; and it shall be the duty of such justice forthwith to issue a summons to one of the constables of said town, directing him to summons the persons named in said certificate, specifying a time and place in said summons at which the persons to be summoned shall meet, which shall not be less than ten nor more than twenty days from the issuing thereof ; and in case the owner or owners of any of the lands through which said road or alterations is proposed to be located shall be a non-resident, it shall be the duty of such justice to notify such owner or owners, by mail, at least eight days before the meeting of such jury of the time and place of such meeting ; and if any person so summoned to attend as a jury shall neglect or refuse to attend at the time and place designated in such summons, the person or persons so neglecting or refusing to attend shall be liable, unless a sufficient excuse be established, to pay a fine of five dollars, which shall be sued for and recovered by the overseers of the poor of said town, and such fine shall be applied by them to the support of the poor thereof. If nine or more of the persons shall have been so drawn, not interested in the lands through which the road is to be laid, nor kin to the owners thereof, shall appear at the time and place specified in the summons, they shall then be sworn by the justice of the peace who issued such summons, well and truly to certify as to the necessity of the highway applied for, and if such justice of the peace shall refuse or neglect to attend at the time and place mentioned in said summons, such oath may be administered to such jurors by any other justice of the peace of said county ; and the justice of the peace swearing such jury shall receive therefor, from such applicant, the sum of two dollars. Such jury shall then personally examine the route of such highways, and shall hear any reason that may be offered for or against such proposed route or alteration. If nine or more of the number thereof shall be of opinion that such highway or alteration of a highway is necessary and proper, they shall make and subscribe a certificate in writing to that effect, which shall be delivered to the commissioners of the highways of the town. But if such number thereof shall not certify that such road or alteration is necessary, then no application for such road or alteration shall be made again in three months. Every juror shall be entitled to receive for his services as such juror the sum of fifty cents, to be paid by such applicant ; and the constable who may summon such jury shall receive therefor, from such applicant therefor, ten cents for summoning each juror summoned, and ten cents a mile for each mile actually and necessarily traveled in summoning such jury, in going from and returning to his place of residence therefor. If nine or more of such jurors shall make a certificate that such highway or alteration is necessary and proper, then the cost of such proceeding as hereinbefore provided shall be a charge against such town in favor of such applicant. The commissioner of highways shall decide upon such application for such road or alteration within thirty days after the decision of the jury or the service upon them of the

consent in writing of the owner or owners of the land to be taken for such alterations or opening, by an order in writing, which shall be filed in the office of the town clerk of such town; where two or more jurors have failed to agree upon the necessity and propriety of the alteration or laying out of such highway; the jury to certify to the necessity of such highway, on the next application, shall be drawn at the clerk's office of any town in said county, not adjoining the town in which such highway is to be altered, opened or laid out; the same notices shall be served upon the same parties, and the same length of time and in the same manner, and the same proceedings in every respect shall be had thereon as are herein required upon a first application, except that the notice asking for such jury shall be served upon a justice of the peace and the town clerk of the town for which such jury is herein required to be drawn.

Add as section 2 the following:

§ 2. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were.

Alvord	Deane	Low	Shuit
Andrews	Dougherty	McAvoy	Sipp
Baker, B. F.	Douglass	McCabe	Skinner
Baker, C. S.	Duell	McCarthy	Slingerland
Beach	Duguid	McDonald	Tallmadge
Beates	Ellis	Mead	Terpeny
Benedict, E. D.	Evans	Miller	Terry
Benedict, T. E.	Ferris	Mooers	Titus
Bennett	Fish	Morgan	Tormey
Bradley	Gillette	Newman	Tozier
Brennan	Gorsline	Nowlan	Travis
Bridges	Gray	O'Connor	Treanor
Brodsky	Gwinup	Peck	Tuthill, H. H.
Carpenter, E. A.	Havens	Pitcher	Tuttle, R. M.
Case	Hayes	Potter	Van Valkenburgh
Catlin	Hoffman	Potts	Warner
Chamberlain	Howland	Roberts	Waterbury
Clark	Hurd	Rdot	Wells, D. A.
Clowes	Husted	Russell	Wells, J. L.
Comstock	Ingersoll	Sanders	Weston
Cookinham	Kennedy	Seeley	Wiley
Curtis	Lefever	Sheridan	Wren
Cushing	Liddle	Sherman	Youngs
Davis	Lindsay		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the bills entitled as follows:

“An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State,” which was read the first time, and by unanimous consent was also read the second time.

Mr. Hayes moved to substitute said bill for Assembly bill No. 627, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to provide for the payment of certain awards for the widening of Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Newman, and by unanimous consent, said bill was ordered to a third reading.

"An act in relation to plankroads and turnpike companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Order Germania, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bennett, and by unanimous consent, said bill was ordered to a third reading.

Leave of absence was granted to Mr. Bullock.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act in relation to assessments for taxes in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 6 }

Those who voted in the affirmative, were .

Alvord	Clowes	Gorsline	Russell
Andrews	Cohen	Gray	Sanders
Baker, B. F.	Comstock	Griggs	Seeley
Baker, C. S.	Congdon	Grosse	Sheridan
Beach	Cookinham	Gwinup	Shuit
Beates	Crapser	Hagan	Sipp
Benedict, E. D.	Curtis	Hayes	Skinner
Benedict, T. E.	Cushing	Hoffman	Slingerland
Bennett	Davis	Hurd	Terry
Bradley	Deane	Husted	Tozier
Brennan	Dougherty	Ingersoll	Treanor
Bridges	Douglass	Lefever	Tully
Brodsky	Duell	Liddle	Tuthill, H. H.
Carpenter, E. A.	Duguid	McAvoy	Warner
Carpenter, I. S.	Ellis	Pitcher	Waterbury
Case	Evans	Potter	Wells, D. A.
Catlin	Ferris	Potts	Wells, J. L.
Chickering	Fish	Roberts	Weston
Clancy	Fiske	Root	Wren
Clark			

Those who voted in the negative, were

Chamberlain	Havens	Peck	Sherman
Gillette	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 178 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to incorporate

the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village,' passed March 15, 1859," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Shanley
Andrews	Davis	Liddle	Sherman
Baker, B. F.	Deane	Lindsay	Shuit
Baker, C. S.	Dougherty	Low	Sipp
Beach	Douglass	McCabe	Skinner
Beates	Duell	McCarthy	Slingerland
Benedict, E. D.	Ellis	McDonald	Tallmadge
Benedict, T. E.	Evans	Miller	Terpeny
Brennan	Ferris	Mitchell	Terry
Bridges	Fish	Mooers	Titus
Brodsky	Gorsline	Morgan	Treanor
Carpenter, E. A.	Gray	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Grosse	O'Connor	Tuttle, R. M.
Case	Gwinup	Peck	Varnum
Catlin	Hagan	Pitcher	Warner
Chickering	Havens	Potter	Waterbury
Childs	Hayes	Potts	Wells, D. A.
Clark	Hoffman	Roberts	Wells, J. L.
Clowes	Howland	Root	Weston
Comstock	Hurd	Russell	Wiley
Congdon	Husted	Sanders	Wren
Cookinham	Ingersoll	Seeley	Youngs
Crapser	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend section 1323 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Cushing	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McDonald	Steele
Benedict, T. E.	Douglass	McTernan	Tallmadge
Bradley	Ellis	Mead	Terpeny
Brennan	Evans	Miller	Terry
Bridges	Fish	Mooers	Thilemann
Brodsky	Fiske	Morgan	Titus



Carpenter, E. A.	Gorsline	Newman	Tormey
Carpenter, I. S.	Gray	Nowlan	Travis
Catlin	Griggs	O'Brien	Treanor
Chamberlain	Gwinup	Peck	Tully
Chickering	Havens	Pitcher	Tuthill, H. H.
Clark	Hayes	Potter	Varnum
Clowes	Howland	Potts	Waterbury
Cohen	Hurd	Root	Wells, D. A.
Comstock	Husted	Russell	Wells, J. L.
Congdon	Ingersoll	Sanders	Wiley
Cookinham	Kennedy	Seeley	Wren
Crapser	Lefever	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Seeley
Andrews	Cushing	Liddle	Shanley
Baker, C. S.	Davis	Low	Sherman
Beach	Deane	McAvoy	Sipp
Beates	Dougherty	McCabe	Skinner
Benedict, T. E.	Duell	McDonald	Slingerland
Bradley	Ellis	McTernan	Steele
Bridges	Evans	Miller	Tallmadge
Brodsky	Fish	Mooers	Terpeny
Carpenter, E. A.	Fiske	Morgan	Terry
Carpenter, I. S.	Fitzgerald	Newman	Thilemann
Catlin	Gorsline	Nowlan	Titus
Chamberlain	Gray	O'Connor	Travis
Chase	Grosse	Peck	Treanor
Chickering	Gwinup	Pitcher	Tully
Childs	Havens	Potter	Varnum
Clark	Hayes	Potts	Waterbury
Cohen	Howland	Roberts	Wells, D. A.
Comstock	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Weston
Cookinham	Ingersoll	Sanders	Wiley
Crapser	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Dougherty	Low	Sipp
Beach	Duell	McAvoy	Sisson
Beates	Duguid	McCabe	Skinner
Benedict, E. D.	Ellis	McDonald	Slingerland
Bradley	Evans	McTernan	Steele
Bridges	Fish	Mead	Tallmadge
Brodsky	Fitzgerald	Miller	Terry
Carpenter, E. A.	Gillette	Mooers	Thilemann
Carpenter, I. S.	Gorsline	Morgan	Titus
Catlin	Grosse	Newman	Travis
Chamberlain	Gwinup	Nowlan	Treanor
Chase	Havens	Peck	Tully
Chickering	Hayes	Pitcher	Tuthill, H. H.
Clark	Hoffman	Potts	Varnum
Clowes	Howland	Roberts	Waterbury
Cohen	Hurd	Root	Wells, D. A.
Comstock	Husted	Russell	Wells, J. L.
Congdon	Ingersoll	Sanders	Weston
Cookinham	Kennedy	Seeley	Wiley
Crapser	Lefever	Shanley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton,' and the laws amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Sanders
Andrews	Cullinan	Lefever	Shanley
Baker, B. F.	Cushing	Liddle	Sheridan
Beach	Davis	Lindsay	Sherman
Beates	Duell	Low	Shuit
Benedict, T. E.	Duguid	McAvoy	Sisson
Bradley	Ellis	McCabe	Skinner
Brennan	Ferris	McDonald	Steele
Bridges	Fish	McTernan	Tallmadge
Brodsky	Fiske	Mead	Terry
Carpenter, E. A.	Fitzgerald	Miller	Thilemann
Carpenter, I. S.	Gillette	Mitchell	Titus
Catlin	Gorsline	Mooers	Tormey
Chamberlain	Grosse	Morgan	Travis
Chase	Gwinup	Newman	Tully
Chickering	Hagan	Nowlan	Tuthill, H.
Clancy	Havens	Parker	Varnum

Clark	Hayes	Pitcher	Waterbury
Clowes	Howland	Potter	Wells, D. A.
Cohen	Hurd	Potts	Wells, J. L.
Comstock	Husted	Root	Weston
Congdon	Ingersoll	Russell	Wren
Cookinham			

Those who voted in the negative, were

Peck

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Shanley
Andrews	Crapser	Liddle	Sherman
Baker, B. F.	Cullinan	Lindsay	Shuit
Beach	Curtis	Low	Skinner
Beates	Davis	McAvoy	Tallmadge
Benedict, E. D.	Duguid	McCabe	Terry
Benedict, T. E.	Ellis	McDonald	Thilemann
Bennett	Evans	McTernan	Titus
Bradley	Ferris	Mead	Tormey
Brennan	Fish	Miller	Tozier
Bridges	Fitzgerald	Mooers	Travis
Brodsky	Gorsline	Morgan	Treanor
Carpenter, I. S.	Gillette	Newman	Tully
Oatlin	Gwinup	Nowlan	Tuthill, H. H.
Chase	Hagan	Peck	Van Valkenburgh
Chickering	Havens	Pitcher	Varnum
Olancy	Hayes	Potter	Waterbury
Clark	Howland	Potts	Wells, D. A.
Clowes	Hurd	Roberts	Wells, J. L.
Cohen	Husted	Root	Weston
Comstock	Ingersoll	Russell	Wiley
Congdon	Kennedy	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for the formation of county co-operative insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

**MAY 18.]**

**1889**

**{ AYES 79 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

Alvord	Davis	McAvoy	Sherman
Andrews	Duguid	McCabe	Shuit
Beach	Ellis	McDonald	Skinner
Beates	Ferris	McTernan	Tallmadge
Benedict, E. D.	Fish	Mead	Terry
Benedict, T. E.	Fiske	Miller	Thilemann
Bradley	Fitzgerald	Mooers	Titus
Bridges	Gillette	Morgan	Tormey
Brodsky	Griggs	Newman	Travis
Carpenter, E. A.	Grosse	Nowlan	Treanor
Carpenter, I. S.	Gwinup	Peck	Tully
Chickering	Howland	Pitcher	Tuthill, H. H.
Clancy	Hurd	Potter	Varnum
Clowes	Husted	Potts	Waterbury
Cohen	Ingersoll	Roberts	Wells, D. A.
Comstock	Kennedy	Root	Wells, J. L.
Congdon	Lefever	Russell	Weston
Cookinham	Liddle	Seeley	Wiley
Crapser	Lindsay	Shanley	Wren
Curtis	Low	Sheridan	

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to allow the continued use of a business name or designation in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

**{ AYES 87 }**  
**{ NOES 00 }**

**Those who voted in the affirmative, were**

Alvord	Crapser	Lefever	Shanley
Andrews	Curtis	Liddle	Sheridan
Baker, B. F.	Cushing	Lindsay	Sherman
Beach	Davis	Low	Shuit
Beates	Evans	McAvoy	Skinner
Bennett	Ferris	McCabe	Strait
Bradley	Fish	McDonald	Tallmadge
Brennan	Fitzgerald	McTernan	Terry
Bridges	Gillette	Mead	Thilemann
Brodsky	Gorsline	Miller	Titus
Carpenter, E. A.	Gray	Mooers	Travis
Carpenter, I. S.	Grosse	Morgan	Treanor
Catlin	Gwinup	Newman	Tully
Chamberlain	Hagan	Nowlan	Tuthill, H. H.
Chase	Havens	Peck	Varnum
Chickering	Hayes	Pitcher	Waterbury
Clancy	Hoffman	Potter	Wells, D. A.
Clark	Howland	Potts	Wells, J. L.
Clowes	Hurd	Roberts	Weston
Comstock	Husted	Root	Wiley
Congdon	Ingersoll	Russell	Wren
Cookinham	Kennedy	Seeley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Cushing	Lindsay	Skinner
Beach	Davis	Low	Slingerland
Beates	Deane	McAvoy	Tallmadge
Benedict, E. D.	Ellis	McCabe	Terry
Benedict, T. E.	Evans	McDonald	Thilemann
Bennett	Fish	McTernan	Titus
Bradley	Fiske	Mead	Tormey
Brennan	Fitzgerald	Miller	Tozier
Bridges	Gillette	Mooers	Travis
Brodsky	Gorsline	Morgan	Treanor
Carpenter, I. S.	Gwinup	Newman	Tully
Catlin	Hagan	Nowlan	Tuthill, H. H.
Chamberlain	Havens	Peck	Van Valkenburgh
Chase	Hayes	Pitcher	Varnum
Clancy	Hoffman	Potts	Waterbury
Clark	Howland	Roberts	Wells, D. A.
Clowes	Hurd	Root	Wells, J. L.
Cohen	Husted	Russell	Weston
Comstock	Ingersoll	Sanders	Wiley
Congdon	Kennedy	Seeley	Wren
Cookinham			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," was read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Liddle	Sherman
Andrews	Cookinham	Lindsay	Skinner
Baker, B. F.	Cullinan	Low	Tallmadge
Baker, C. S.	Curtis	McAvoy	Terry
Beach	Davis	McCabe	Thilemann
Beates	Duguid	McDonald	Titus
Bennett	Ellis	McTernan	Tormey

Bradley	Evans	Mead	Tozier
Brennan	Fish	Miller	Travis
Bridges	Fiske	Mooers	Treanor
Brotsky	Fitzgerald	Morgan	Tully
Carpenter, E. A.	Gillette	Newman	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Nowlan	Van Valkenburgh
Catlin	Hagan	Peck	Varnum
Chamberlain	Havens	Pitcher	Walsh
Chase	Hayes	Potts	Waterbury
Chickering	Howland	Roberts	Wells, D. A.
Clanoy	Hurd	Root	Wells, J. L.
Clark	Husted	Russell	Weston
Clowes	Ingersoll	Sanders	Wiley
Cohen	Kennedy	Seeley	Wren
Comstock	Lefever	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sheridan
Andrews	Crapser	Lefever	Sherman
Baker, B. F.	Cullinan	Liddle	Shuit
Baker, O. S.	Curtis	Lindsay	Skinner
Beach	Davis	Low	Slingerland
Beates	Deane	McAvoy	Tallmadge
Benedict, E. D.	Douglase	McCabe	Terry
Bennett	Ellis	McDonald	Thilemann
Brennan	Evans	Mead	Titus
Bridges	Ferris	Miller	Tormey
Brotsky	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Morgan	Travis
Carpenter, I. S.	Fitzgerald	Newman	Treanor
Catlin	Gillette	Nowlan	Tully
Chamberlain	Gorsline	Peck	Tuthill, H. H.
Chase	Gwinup	Pitcher	Waterbury
Chickering	Havens	Potts	Wells, D. A.
Clanoy	Hayes	Roberts	Wells, J. L.
Clark	Howland	Root	Weston
Clowes	Hurd	Russell	Wiley
Cohen	Husted	Sanders	Wren
Comstock	Ingersoll	Seeley	Youngs
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to re-enact and amend the charter of the city of Yonkers, and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction

of sewers in the city of Yonkers," with a message that they had passed the same with the following amendments:

Page 2, section 3, line 2 of engrossed bill, after the word "except" insert the word "of."

Page 6, section 9, line 5, after the word "cities" insert the words "and a sealer of weights and measures."

Page 7, section 12, line 1, after the word "except" insert the word "of;" same section, line 10, strike out the word "and."

Page 8, section 1, line 14, strike out the word "disperse" and insert the word "suppress;" same line, strike out the word "dispel" and insert the word "disperse."

Page 9, section 2, line 8, strike out the word "approving" and insert the word "signing."

Page 22, section 33, line 4, strike out the word "except" and insert the word "unless."

Page 23, section 4, line 7, after the word "completed" insert the word "it."

Page 24, section 6, line 2, strike out the words "and assessed to the owner."

Page 28, section 3, line 8, strike out the word "which."

Page 28, section 4, line 2, strike out the words "and the city clerk" and insert the word "who."

Page 30, section 9, line 6, strike out the word "therefor" and insert the word "thereof."

Page 31, section 13, line 5, after the word "bear" insert the words "such interest;" same section, line 6, strike out the words "of interest."

Page 34, section 6, line 9, make the word " " read "records;" same section, line 14, make "finance" read "finances."

Page 35, sub-division 9, line 12, make the word "license" read "licenses."

Page 36, sub-division 12, strike out all after the word "known," in line 6.

Page 37, sub-division 21, line 10, strike out the word "and" and insert the word "or."

Page 38, sub-division 26, line 6, strike out the word "and."

Page 38, sub-division 26, line 5, after the word "and" insert the word "prescribe."

Page 39, sub-division 27, line 4, strike out all after the word "ever" down to and including the word "obstructed," in line 7;" sub-division 28, line 4, after the word "hoops" insert the word "and."

Page 42, section 7, line 8, strike out the word "day" and insert the word "an."

Page 43, section 9, line 4, after the word "pending" insert the word "before."

Page 44, section 10, line 10, strike out the word "of."

Page 48, section 4, line 4, strike out the word "or;" same line, after the word "right" insert the words "or easement;" same section, line 7, strike out the word "or" after the word "right" and insert the words "or easement;" same line, after the word "taken" insert the word "or;" same section, line 23, strike out the word "or;" same section, line 24, after the word "right" insert the words "or easement."

Page 49, section 4, line 3, strike out the word "or" after the word

"right" and insert the words "or easement;" line 6, strike out the word "or;" same line, after the word "right" insert the words "or easement;" same section, line 10, strike out the word "or" after the word "right" and insert the words "or easement;" same section, line 14, strike out the word "or;" after the word "right" insert the words "or easement;" same section, line 21, make the word "benefit" read "benefits;" same section, line 25, after the word "two" insert the word "successive;" same line, strike out "successively;" line 34, after the word "assessed" insert the words "or taken."

Page 50, section 6, line 9, after the word "right" insert the words "or easement;" same section, line 13, after the word "right" insert the words "or easement."

Page 51, section 8, line 6, after the word "right" insert the words "or easment;" same section, line 9, after the word "for" insert the word "the;" section 9, line 2, after the word "improvement" insert the word "the."

Page 52, section 2, line 27, strike out the word "as;" same section, line 28, strike out the word "thereon."

Page 55, section 13, line 9, strike out the word "upon;" section 14, line 3, after the word "cross" insert the word "walks."

Page 56, section 15, line 32, after the word "to" insert the words "certified and."

Page 57, section 16, line 5, after the word "and" insert the word "of;" same section, line 4, after the word "highways" insert the words "or of any part thereof;" same page, section 17, line 8, after the word "laying" strike out the word "of;" same section, line 9, strike out the word "of."

Page 58, section 17, line 22, strike out the word "and;" same section, line 24, after the word "or" insert the word "upon."

Page 60, section 22, line 4, after the word "of" insert the word "the;" section 23, line 4, make "alterations" read "alteration."

Page 61, section 23, line 38, strike out the word "or" and insert the word "of."

Page 62, section 24, line 14, after the word "in" insert the words "one or more of."

Page 65, at the end of section 28 add the words "or highway."

Page 66, section 29, line 6, strike out the word "not;" after the word "include," in same line, insert the word "not."

Page 69, line 6, strike out the word "and;" same page, section 36, line 3, after the word "schedule" insert the words "of the several assessments."

Page 70, section 38, line 3, make "assessment" read "assessments."

Page 71, section 38, line 11, after the word "bear" insert the words "such interest;" same page, line 12, strike out the words "of interest;" same page, line 18, after the word "which" insert the word "the."

Page 73, section 6, line 1, after the word "the" strike out the words "fire commissioners shall appoint" and insert the words "members of the fire department shall elect."

Page 83, section 11, line 16, make a comma after the word "do."

Page 86, section 19, line 2, strike out the word "is" and insert the word "are;" same section, line 25, add at end, "This grant is subject to any grants of land under water heretofore made to any person or corporation."



Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
 { NOES 2 }

Those who voted in the affirmative, were

Alvord	Orapser	Kennedy	Russell
Andrews	Cullinan	Lefever	Seeley
Baker, B. F.	Curtis	Liddle	Sheridan
Baker, C. S.	Davis	Lindsay	Sherman
Beach	Deane	Low	Shuit
Beates	Douglass	McAvoy	Skinner
Benedict, E. D.	Duguid	McCabe	Slingerland
Benedict, T. E.	Ellis	McDonald	Tallmadge
Bradley	Evans	McTernan	Terry
Brennan	Ferris	Mead	Thilemann
Bridges	Fish	Miller	Titus
Brodsky	Fiske	Mitchell	Tormey
Carpenter, E. A.	Fitzgerald	Mooers	Tozier
Carpenter, I. S.	Gillette	Morgan	Travis
Oatlin	Gorsline	Newman	Tully
Chamberlain	Hagan	Nowlan	Tuthill, H. H.
Chase	Havens	Peck	Van Valkenburgh
Chickering	Hayes	Pitcher	Wells, D. A.
Clancy	Howland	Potter	Weston
Clowes	Hurd	Potts	Wiley
Comstock	Husted	Roberts	Wren
Congdon	Ingersoll	Root	Youngs
Cookinham			

Those who voted in the negative, were

Cohen                      Waterbury

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act for the relief of certain persons engaged in the practice of dentistry in this State," being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee on the judiciary, with instructions to amend as follows:

After the word "State," in line 2, insert the words "prior to," and strike out the word "one" in said line. After the words "seventy-nine," in line 3, insert the words "and who had been so engaged in practice for five years." After the word "act" in line 8, insert the words "on filing with the county clerk satisfactory proof by affidavits of his occupation as a dentist as aforesaid."

Mr. Ingersoll moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Brennan, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Crapser	Hoffman	Seeley
Andrews	Cullinan	Hurd	Sheridan
Baker, C. S.	Curtis	Husted	Sherman
Beach	Davis	Ingersoll	Shuit
Beates	Deane	Kennedy	Sipp
Benedict, T. E.	Dougherty	Lefever	Skinner
Bennett	Douglass	Liddle	Slingerland
Bradley	Duell	Low	Tallmadge
Bridges	Evans	McCabe	Terpeny
Brodsky	Ferris	McDonald	Terry
Carpenter, E. A.	Fish	Mooers	Titus
Carpenter, I. S.	Fiske	Newman	Tormey
Case	Fitzgerald	Nowlan	Tozier
Chamberlain	Gorsline	Peck	Travis
Chickering	Gray	Pitcher	Tully
Olowes	Grosse	Potts	Varnum
Cohen	Gwinup	Roberts	Waterbury
Comstock	Hagan	Root	Wells, D. A.
Congdon	Havens	Russell	Wren
Cookinham	Hayes	Sanders	Youngs

Those who voted in the negative, were

Cushing	McAvoy	Miller	Wiley
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to establish a Code of Criminal Procedure," with a message that they had passed the same with the following amendments:

Section 4, sub-division 3, line 2, change the word "of" to "or."

§ 39. Line 1, add "s" to the word "session," and change the word "and," in last line but one, to "or are."

§ 50. Change the words "section 640 of the Penal Code" to the words "the last two sections," then transfer the section so as to come in after § 59, and change the numbers of the intervening sections.

§ 58. Sub-division 7, change the words "the Penal Code" to the words "existing laws."

§ 64. Sub-division 5, line 6, change "they have" to "it has."

§ 116. Second line, strike out the words "the last" and insert "115" after "section."

§ 147. Sub-division 4, add at the end the words "and the judge of general sessions in the city and county of New York."

§ 161. Change "195" to "159;" strike out the word "next" in last line, and add at the end "164."

§ 214. Strike out "79" and leave blank after "18."

§ 232. Change "233" to "231."

§ 284. Sub-division 4, change "134" to "133."

§ 289. Last line, insert the word "the" before the word "trial."

§ 306. First line, strike out the word "when."

§ 323. Sub-division 3, insert "278 or" before "279."

§ 330. Fifth line, strike out the word "when."

§ 477. Strike out "79" and leave blank after "18."

§ 488. Third line, change "he" to "it."

§ 493. Sixth line, change "on" to "or."

- § 495. Fifth line, change "article" to "chapter."
- § 500. Change "597" to "497," and change "598" to "498."
- § 548. First line, change "appellate" to "appellant;" second line, change "respendent" to "respondent."
- § 562. Change "559" to "527;" change "560" to "528."
- § 565. Fourth line, insert the word "served" before the word "with."
- § 566. Change "564" to "532."
- § 581. Change "579" to "547."
- § 589. Last line, change "586" to "554"
- § 591. Last line, change "589" to "557."
- § 593. Second line, insert the word "stating" after the word "granted."
- § 595. Change "589" to "557."
- § 600. Strike out "79" and leave blank after "18."
- § 604. Last line, change "601" to "569."
- § 612. Last line, change "580" to "557."
- § 613. Strike out "79" and leave blank after "18."
- § 614. Change "601" to "569;" change "609" to "577."
- § 615. Change "588" to "556."
- § 617. Change "601" to "569;" change "609" to "577."
- § 623. Second line, strike out the word "or."
- § 624. Fourth and fifth lines, change the words "the last two sections" to the words "section 590."
- § 628. Change "625" to "593;" change "626" to "594;" change "629" to "597."
- § 629. Second line, change "chapter" to "article."
- § 631. Sub-division 1, last line, change "625" to "593."
- § 636. Change "589" to "557;" change "590" to "558."
- § 638. Change "601" to "569;" change "609" to "577."
- § 656. Sub-division 2, change "where" to "when."
- § 658. Change "656" to "624."
- § 667. Change "§ 651" to "§ 619."
- § 677. Last line, change "673" to "641."
- § 698. Change "695" to "663;" change "696" to "664."
- § 708. Strike out "79" and leave blank after "18."
- § 713. Second line, change "they" to "it."
- § 741. Change "736" to "704."
- § 751. Third line, change "his" to "its."
- § 757. Change "753" to "721."
- § 759. Strike out last word "as provided in the last section."
- § 760. Fourth line, insert the words "sheriff or the" before "magistrate."
- § 761. Change "640" to "608;" change "651" to "619."
- § 811. Change "813" to "781."
- § 813. Strike out "79" and leave blank after "18."
- § 829. Change "824" to "792;" change "833" to "801."
- § 836. Change "719" to "687;" change "721" to "689;" change "824" to "792."
- § 853. Change "550" to "485."
- § 868. Strike out the words "or of a foreign government."
- § 875. Change "title" to "chapter."
- § 879. Change "877" to "844."
- § 882. Last line, change "884" to "851."
- § 884. Last line, change "877" to "844."

- § 886. Change "877" to "844;" change "884" to "851."
- § 887. Change "877" to "844;" change "881" to "848;" change "883" to "850."
- § 890. Change "873" to "840."
- § 892. Change "883" to "850;" change "890" to "857;" change "873" to "840."
- § 894. Change "884" to "851;" change "883" to "850;" change "prid" to "paid."
- § 895. Change "884" to "851;" change "891" to "858."
- § 904. Change "890" to "857."
- § 905. Change "901" to "868."
- § 908. Change "883" to "850."
- § 913. Strike out the words "the last" and insert "877" after "section."
- § 917. Change "914" to "881."
- § 919. Change "915" to "882."
- § 922. Strike out "79" and leave blank after "18;" change "920" to "887."
- § 925. Change "920" to "887;" change "921" to "888."
- § 927. Change "925" to "894."
- § 929. Change "920" to "887."
- § 930. Change "§" to "this code."
- § 932. Change "930" to "899."
- § 933. Change "930" to "899."
- § 934. Change "932" to "901."
- § 935. Change "932" to "901;" change "930" to "899."
- § 937. Change "932" to "901;" change "934" to "903."
- § 938. Change "932" to "901."
- § 941. Change "932" to "901."
- § 947. Change "945" to "914."
- § 951. Change "945" to "914."
- § 965. Change "962" to "931;" change "963" to "932."
- § 968. Change "958" to "927;" change "959" to "928;" change "961" to "930."
- § 969. Change "967" to "936."
- § 936. Third line, change "county" to "poor."
- § 939. Third line, change "its next" to "each."
- § 945. Third line, change "enable" to "be unable."
- § 952. Second line, change "their" to "the;" fifth line, change "945" to "914;" tenth line, change "their" to "his."
- § 962. Sixth line, change "958" to "927;" seventh line, change "them" to "him."
- § 972. Third line, change "said" to "the;" fourth line, change "said" to "the."
- § 976. First line, change "sheriffs" to "sheriff."
- § 985. Third line, change "their" to "its."
- § 21. Third line, change "its" to "the;" fourth line, change "sections" to "section."
- § 22. Fourth subdivision, insert "from any court" after "removed;" change "option" to "opinion;" alter fifth subdivision to read as follows: "To exercise the same jurisdiction as a court of sessions, in a cause or proceeding transferred according to sections 40 or 41 of this Code."
- § 28. First line, strike out the words "of the city;" change "examine" to "determine," in fifth line.

§ 33. Second line, change "must" to "may."

§ 34. First line, change the words "each of the city courts" to "a city court."

§ 35. Strike out the words "not punishable with death."

§ 39. Subdivision 2, after the word "county," insert the words "or by a city court in the county."

§ 40. Add at the end the words "or to a city court having jurisdiction to try and determine the same."

§ 44. Add at the end the words "or to a city court having jurisdiction of such an action or proceeding."

§ 115. Close the section with the words "state of insurrection;" make the rest of the present section a new section 116, changing the words "and may order" into the words "after the proclamation mentioned in the last section the Governor may order."

§ 116. Number as 117; strike out the words "the last," in line 2, and insert "115" after "section," and omit the next section.

§ 129. Omit, and renumber the four following sections, and make a new section 133, in part 4, title 1, as follows:

"New § 133. A person who leaves this State, with intent to elude any law thereof against duelling or prize fighting or challenges thereto, or to do any act forbidden by such a law, or who being a resident of this State does an act out of it, which would be punishable as a violation of such a law, may be indicted and tried in any county of this State."

§ 225. Subdivision 3, add at the end the words "whenever an indictment can there be found."

Chapter 2 of title 10, part 4, omit, containing sections 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528.

Chapter 3, immediately following, change to chapter 2, and omit sections 529 and 530 therefrom, and arrange the headings accordingly.

Chapter 4 omit, containing sections 536, 537, 538, 539, 540, 541, 542, 543, 544, 545 and 546.

§ 673. Subdivision 2, insert the word "general" before the word "sessions;" change the words "of the city" to "in the city and county;" subdivision 3, strike out the words "city judge of the city" and insert the words "judge of the court."

§ 870. Omit.

§ 920. Divide this section into three sections, the first, numbered 887, ending at "lawful occupation," in eighth subdivision; the next, numbered 888, ending at "almshouse of the county," and make the following corrections in the second and third of these new sections, viz.:

Strike out the word "this," in the third line of new section 888 and substitute the words "the last;" strike out the words "such child," at the beginning of the fifth line of the second paragraph of new section 888, and substitute the word "him;" strike out the word "such," beginning of the third paragraph of new section 888, and substitute the word "the;" substitute the word "the" for the word "such," first line of fourth paragraph of new section 888; substitute the word "the" for second "such," second line of fourth paragraph of new section 888; substitute the word "the" for second "such," fourth line of fourth paragraph of new section 888.

Alter first three lines of new section 889, so as to read as follows: "Every child received pursuant to the last section shall be kept until

discharged by the overseers of the poor or the commissioners of the almshouse of the city or village, and may be."

§ 984. Omit.

§ 995. Change "May" to "September," "seventh" to "sixth," and "seventy-nine" to "eighty."

After the foregoing corrections are made, renumber the sections after section 510, and rearrange the headings accordingly.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 13 }

Those who voted in the affirmative, were

Andrews	Davis	McCarthy	Sipp
Baker, B. F.	Deane	McTernan	Skinner
Beach	Dougherty	Mead	Slingerland
Beates	Duguid	Miller	Tallmadge
Brennan	Evans	Mooers	Terry
Bridges	Ferris	Morgan	Thilemann
Brodsky	Fish	Newman	Titus
Carpenter, I. S.	Gillette	Nowlan	Tormey
Case	Gorsline	Peck	Tozier
Catlin	Grosse	Pitcher	Travis
Chase	Hayes	Potts	Tully
Chickering	Howland	Roberts	Tuthill, H. H.
Clancy	Hurd	Root	Van Valkenburgh
Clark	Husted	Russell	Waterbury
Comstock	Ingersoll	Sanders	Wells, D. A.
Congdon	Kennedy	Seeley	Wells, J. L.
Cookinham	Lefever	Shanley	Weston
Crapser	Liddle	Sheridan	Wiley
Cullinan	Low	Sherman	Wren
Curtis	McCabe	Shuit	Youngs

Those who voted in the negative, were

Alvord	Cushing	Gray	McAvoy
Benedict, T. E.	Ellis	Gwinup	O'Connor
Carpenter, E. A.	Fitzgerald	Havens	Walsh
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted in the chair.

By unanimous consent,

Mr. Sharpe offered for the consideration of the House a resolution in the words following:

*Resolved*, That the afternoon session of this House be extended from four o'clock this afternoon to eight o'clock this evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tallmadge introduced a bill entitled "An act to incorporate the Metropolitan Merchandise Loan Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was ordered to a third reading, and ordered printed.

By unanimous consent,

Mr. Skinner introduced a bill entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Skinner, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. B. F. Baker introduced a bill entitled "An act in relation to the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following:

*Resolved*, That the vote by which Assembly bill No. 756, entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester,' and the several acts amendatory thereof," was passed be reconsidered, for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Deane	Low	Sipp
Baker, C. S.	Dougherty	McAvoy	Skinner
Beach	Douglass	McCabe	Slingerland
Beates	Duell	McCarthy	Tallmadge
Bennett	Evans	McDonald	Terpeny,
Bradley	Ferris	Mead	Terry
Brennan	Fish	Miller	Thilemann
Bridges	Fiske	Mitchell	Titus
Brodsky	Fitzgerald	Mooers	Tormey
Carpenter, E. A.	Gillette	Morgan	Tozier
Carpenter, I. S.	Gorsline	Newman	Travis
Case	Gray	Nowlan	Tully
Catlin	Griggs	O'Connor	Tuthill, H. H.
Chamberlain	Grosse	Peck	Tuttle, R. M.
Chickering	Gwinup	Pitcher	Van Valkenburgh
Childs	Hagan	Potter	Varnum
Clancy	Hayes	Potts	Warner
Clark	Hoffman	Roberts	Waterbury
Olowes	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Weston
Cookinham	Ingersoll	Seeley	Wiley
Crapser	Kennedy	Shanley	Wren
Cullinan	Lefever	Sheridan	Youngs
Curtis			



By unanimous consent,

Mr. Clancy offered for the consideration of the House a resolution in the words following :

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Assembly bill No. 1169, general orders No. 1004, entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hoffman offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 358, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Mooers offered for the consideration of the House a resolution in the words following :

*Resolved*, That the Clerk of this House is hereby directed, on or before the first day of June next, to cause a copy of the letter of the Attorney-General, dated February 10, 1880, on the liability of savings bank deposits to taxation, to be sent to all the assessors of this State, and to the commissioners of taxes and assessment in the cities of New York and Brooklyn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Childs introduced a bill entitled "An act to repeal an act entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Beates offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 744, general orders 897, entitled "An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan," and that the same be engrossed for a third reading, amended as follows :

Section 2, line 1, strike out the word "county" and insert the word "counties;" after the word "Delaware," same line, add the words "and Sullivan."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That there be printed, for the use of the Auditor of the Canal Department, 400 copies of the Annual Report on Tolls, Trade and Tonnage of the Canals, and 100 copies of the Annual Report on the expenditures of the Canals.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Sipp moved to discharge the committee of the whole from the further consideration of Senate bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston introduced a bill entitled "An act to amend chapter 766 of the Laws of 1870, relating to a road district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Weston, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 797, entitled "An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Gorsline, and by unanimous consent, the committee of the whole were discharged from the further consideration of Senate bill entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" and the same was ordered to a third reading.

By unanimous consent,

Mr. Lindsay offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill printed No. 533, introductory No. 89, general orders No. 605, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tully introduced a bill entitled "An act for the protection of travelers on street railroads in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Roberts offered for the consideration of the House a resolution in the words following :

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 289, entitled "An act authorizing the surrogate of Erie county to appoint a stenographer for the surrogate's court of said county," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 53, general orders No. 380, entitled "An act to legalize certain proceedings of the common council of the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 801, general orders No. 1002, entitled "An act authorizing the Adjutant-General, the Inspector-General and the Commissary-General to audit the claim of the 11th Regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 809, general orders 1031, entitled "An act to provide for the revision of the local and special laws affecting public interests in the city of New York," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Mitchell offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Civil Procedure," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Thilemann introduced a bill entitled "An act for the preserva-

tion of the public health in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Thilemann, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Treanor introduced a bill entitled "An act to provide for the payment of compensation by the New York, Metropolitan and Manhattan elevated railway companies for the use and occupancy of the streets and avenues in the city of New York, in lieu of taxes and of the percentages now required by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Grosse offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 792, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in words following:

*Whereas*, The printed journal of this Assembly has not been promptly placed upon the files of the members during this session; and,

*Whereas*, There has been no printed journal on file since date of April 30, 1880; be it, therefore,

*Resolved*, That the Clerk of the Assembly be instructed to have the printed journal placed upon the files of the members within three days of the time of their adoption.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act defining the powers and duties of the Superintendent of Public Works," and the same was ordered to a third reading.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 796, general orders 992, entitled "An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company to any indebtedness against said city," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, that the committee of the whole be discharged from the

further consideration of Assembly bill No. 810, general orders 1032, entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney in the county of Oswego, to facilitate the construction of the New York and Oswego Midland Railroad," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bridges offered for the consideration of the House a resolution in the words following:

*Resolved*, that the sub-committee of the whole be discharged from the further consideration of Assembly bill No. 656, entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Midland, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer, to be used for the payment of taxes against said town,'" and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 391, entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Evans offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 705, general orders 833, entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following :

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 312, entitled "An act to make effectual judicial decrees against unknown owners," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 356, entitled "An act to amend chapter 717 of Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower and satisfaction and discharge thereof,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee on roads and bridges be discharged from the further consideration of Senate bill No. 167, entitled "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No, 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved that this House do take a recess until 4 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at 2 o'clock and 5 minutes the House took a recess until 4 P. M.

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#### FOUR O'CLOCK, P. M.

The House again met.

Indefinite leave of absence was granted to Mr. Tuttle.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names :

Alvord	Duell	McTernan	Strait
Beach	Evans	Mead	Tallmadge
Benedict, E. D.	Ferris	Mooers	Terry
Benedict, T. E.	Fish	Newman	Titus
Bennett	Fiske	Pitcher	Travis
Bradley	Gorsline	Potts	Treanor
Bridges	Grosse	Root	Tuthill, H. H.
Brodsky	Gwinup	Russell	Van Valkenburgh
Carpenter, E. A.	Hagan	Shanley	Warner



Case	Hoffman	Sheridan	Waterbury
Crapser	Howland	Sherman	Wells, D. A.
Cullinan	Hurd	Shuit	Wells, J. L.
Curtis	Kennedy	Sipp	Weston
Cushing	Lefever	Skinner	Wren
Davis	Liddle	Slingerland	Youngs
Deane	Lindsay	Steele	Mr. Speaker
Douglass	Low		

A quorum being present,

Mr. Van Valkenburgh moved to lay all order of business on the table for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Low (introductory No. 1195), entitled "An act to provide for appointment of a police justice in the village of Niagara Falls, New York," reported in favor of the passage of the same.

On motion of Mr. Terry, said bill was referred to the sub-committee of the whole, and ordered printed.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 945), entitled "An act in relation to a public park in the city of Albany, now known as the Washington park, supplementary and amendatory to an act passed May 5, 1869, and supplementary and amendatory to subsequent acts, passed April 23, 1870, March 31, 1871, February 16, 1872, March 11, 1873, March 28, 1874, and June 7, 1875," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Terry (introductory No. 1203), entitled "An act relating to leases of railroads and railroad property within this State," reported in favor of the passage of the same.

On motion of Mr. Terry, said bill was referred to the sub-committee of the whole.

Mr. Van Valkenburgh, from the committee on banks, to which was referred Senate bill (introductory No. 71), entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hoffman (introductory No. 1204), entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river in the town of Chemung, in the county of Chemung," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.



Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 132), entitled "An act to amend chapter 83 of the Laws of 1869, entitled 'An act for the improvement of Grasse river, and of the water power thereon, and to check freshets therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 319), entitled "An act to regulate the dimensions and measurement of apple barrels," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 309), entitled "An act repealing section 3 of chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroad and turnpike companies, formed under and by virtue of an act entitled 'An act to provide for the incorporation of companies to construct plankroads and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence,'" reported in favor of the passage of the same.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 597), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 309), entitled "An act to establish a high school in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 585), entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, entitled 'Of the organization and powers of the board of regents,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 647), entitled "An act to change the name of the Elmira Female College," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hoffman, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cushing  
Davis

McAvoy  
McCabe

Skinner  
Slingerland

Baker, O. S.	Deane	McDonald	Steele
Beach	Dougherty	Mead	Strait
Beates	Douglass	Miller	Tallmadge
Benedict, E. D.	Duell	Mooers	Terry
Benedict, T. E.	Evans	Morgan	Thilemann
Bennett	Ferris	Newman	Titus
Bradley	Fish	Nowlan	Tozier
Bridges	Fiske	O'Connor	Travis
Brodsky	Gorsline	Peck	Treanor
Carpenter, E. A.	Griggs	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Grosse	Potter	Van Valkenburgh
Case	Gwinup	Potts	Varnum
Clark	Hagan	Roberts	Walsh
Clowes	Havens	Root	Warner
Cohen	Hoffman	Russell	Waterbury
Comstock	Howland	Sanders	Wells, D. A.
Congdon	Hurd	Seeley	Wells, J. L.
Cookinham	Kennedy	Shanley	Weston
Costello	Lefever	Sheridan	Wren
Crapser	Liddle	Shuit	Youngs
Cullinan	Lindsay	Sipp	Mr. Speaker
Curtis	Low		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Mitchell (introductory No. 59), entitled "An act to authorize the transfer of prisoners from penitentiaries to State prisons, and to provide for the expense of same," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Shuit, from the committee on State prisons, to which was referred the Senate bill (introductory No. 607), entitled "An act regulating the disposition of convicts in the State prisons," reported adversely thereto, which report was agreed to.

Mr. Russell, from the special committee to which was referred the Senate bill (introductory No. 311), entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last State census exceeded 400,000," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell gives notice that he will, at some future day, move to suspend Rules 25, 39, 41 and 43, for the purpose of advancing the consideration and the final passage of Senate bill No. 397, entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York, in which the population by the last State census exceeded 400,000."

By unanimous consent,

Mr. D. A. Wells offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, asking the return of Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Also,

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, asking the return of Assembly bill No. 635, entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 577), entitled "An act to provide for the revival and continuance of certain suits or actions," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sipp
Andrews	Cushing	Liddle	Skinner
Baker, C. S.	Davis	Lindsay	Slingerland
Beach	Deane	Low	Strait
Beates	Dougherty	McAvoy	Tallmadge
Benedict, T. E.	Douglass	McDonald	Terry
Bennett	Duell	Mead	Thilemann
Bradley	Evans	Miller	Titus
Brennan	Ferris	Mooers	Tozier
Bridges	Fish	Morgan	Travis
Brodsky	Fiske	Newman	Treanor
Carpenter, E. A.	Gillette	Nowlan	Tully
Carpenter, I. S.	Gorsline	O'Connor	Tuthill, H. H.
Case	Grosse	Peck	Van Valkenburgh
Chickering	Gwinup	Pitcher	Varnum
Clark	Hagan	Potter	Walsh
Clowes	Havens	Potts	Warner
Cohen	Hayes	Root	Waterbury
Comstock	Hoffman	Russell	Wells, D. A.
Congdon	Howland	Sanders	Wells, J. L.
Cookinham	Hurd	Seeley	Weston
Costello	Husted	Sheridan	Wren
Grapser	Ingersoll	Sherman	Youngs
Cullinan	Kennedy	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making it unlawful for the officers of

any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," being announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was amended in words following :

Insert as section 2 the following :

"§ 2. Any person knowingly violating the provisions of this act shall be liable to a penalty of not exceeding \$50 for such offense, to be recovered in a civil action in any court of competent jurisdiction, in the name of the overseers of the poor of any town, or the commissioners of charities of any city, in which such offense is committed, the recovery in such action to go to the support of the poor of such town or city."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 6 }

Those who voted in the affirmative, were

Baker, C. S.	Curtis	Kennedy	Sanders
Beach	Cushing	Lefever	Seeley
Benedict, T. E.	Davis	Liddle	Sheridan
Bennett	Deane	Lindsay	Sherman
Bradley	Dougherty	Low	Shuit
Brennan	Duell	McAvoy	Sipp
Bridges	Ferris	McCabe	Skinner
Brodsky	Fish	Mead	Slingerland
Carpenter, I. S.	Fiske	Miller	Steele
Catlin	Gillette	Mitchell	Strait
Chamberlain	Gorsline	Mooers	Tallmadge
Clark	Grosse	Morgan	Terry
Clowes	Gwinup	Nowlan	Titus
Cohen	Hagan	O'Connor	Tozier
Comstock	Havens	Peck	Tuthill, H. H.
Congdon	Hayes	Pitcher	Van Valkenburgh
Cookinham	Hoffman	Potter	Wells, D. A.
Costello	Howland	Potts	Weston
Crapser	Hurd	Root	Wren
Cullinan	Husted	Russell	

Those who voted in the negative, were

Alvord	Newman	Walsh	Warner
McDonald	Travis		

Mr. Alvord moved to reconsider the vote by which said bill was passed, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion on the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the

Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 56 }  
{ NOES 45 }

Those who voted in the affirmative, were

Alvord	Douglass	Liddle	Sanders
Andrews	Duguid	Lindsay	Shuit
Baker, B. F.	Ferris	McAvoy	Sipp
Bridges	Fish	McCabe	Strait
Carpenter, E. A.	Fitzgerald	McDonald	Tallmadge
Oatlin	Gillette	Morgan	Terpeny
Childs	Gorsline	Newman	Thilemann
Clowes	Gray	Nowlan	Tozier
Cohen	Havens	O'Connor	Travis
Comstock	Hayes	Peck	Treanor
Congdon	Hurd	Pitcher	Walsh
Costello	Husted	Potter	Warner
Davis	Ingersoll	Roberts	Waterbury
Dougherty	Lefever	Russell	Wells, D. A.

Those who voted in the negative, were

Baker, C. S.	Crapser	Kennedy	Steele
Beach	Curtis	Low	Titus
Benedict, E. D.	Cushing	McTernan	Tormey
Bennett	Deane	Miller	Tully
Bradley	Ellis	Mitchell	Tuthill, H. H.
Brennan	Evans	Root	Van Valkenburgh
Carpenter, I. S.	Grosse	Seeley	Varnum
Case	Gwinup	Shanley	Wells, J. L.
Chamberlain	Hagan	Sheridan	Weston
Chickering	Hoffman	Sherman	Youngs
Clancy	Howland	Skinner	Mr. Speaker
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Costello	Kennedy	Sheridan
Baker, B. F.	Curtis	Lefever	Sherman
Baker, C. S.	Cushing	Liddle	Shuit
Beach	Davis	Lindsay	Sipp
Beates	Deane	Low	Skinner
Benedict, E. D.	Dougherty	McAvoy	Slingerland
Benedict, T. E.	Douglass	McCabe	Steele
Bennett	Duell	McDonald	Strait
Bradley	Ellis	Mead	Terry
Brennan	Ferris	Miller	Thilemann
Bridges	Fish	Mooers	Titus

Carpenter, I. S.	Fiske	Morgan	Tozier
Case	Gorsline	Newman	Travis
Catlin	Gray	O'Connor	Tuthill, H. H.
Chamberlain	Hagan	Peck	Van Valkenburgh
Chickering	Havens	Pitcher	Varnum
Childs	Hayes	Potts	Wells, D. A.
Clowes	Hoffman	Roberts	Wells, J. L.
Cohen	Howland	Root	Weston
Comstock	Hurd	Russell	Wren
Congdon	Husted	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Senate bill entitled "An act further to regulate the admission to this State of fire or marine insurance companies from other countries than the United States."

*Ordered*, That the Clerk return said bill to the Senate.

Senate bill entitled "An act to establish a board of fire commissioners for the village of West Troy in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Sherman
Andrews	Davis	Lindsay	Shuit
Baker, B. F.	Deane	Low	Sipp
Baker, C. S.	Douglass	McAvoy	Skinner
Beach	Duell	McCabe	Slingerland
Beates	Duguid	McTernan	Steele
Benedict, E. D.	Evans	Mead	Tallmadge
Bradley	Ferris	Miller	Terpeny
Brennan	Fish	Mitchell	Terry
Bridges	Fiske	Mooers	Titus
Brodsky	Fitzgerald	Morgan	Tozier
Carpenter, E. A.	Gillette	Nowlan	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Case	Gray	Pitcher	Van Valkenburgh
Catlin	Hagan	Potter	Varnum
Chickering	Hayes	Potts	Warner
Childs	Hoffman	Roberts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Comstock	Hurd	Russell	Wells, J. L.
Congdon	Husted	Sanders	Weston
Cookinham	Ingersoll	Seeley	Wren
Costello	Kennedy	Shanley	Youngs
Cullinan	Lefever	Sheridan	

Those who voted in the negative, were

Benedict, T. E. Gwinup

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
 { NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Shuit
Andrews	Davis	Lefever	Sipp
Baker, B. F.	Deane	Liddle	Skinner
Baker, C. S.	Dougherty.	Lindsay	Slingerland
Beach	Douglass	Low	Strait
Beates	Duell	McAvoy	Tallmadge
Benedict, E. D.	Duguid	McCabe	Terpeny
Benedict, T. E.	Ellis	McCarthy	Terry
Bennett	Evans	McDonald	Thilemann
Bradley	Ferris	Miller	Titus
Bridges	Fish	Mitchell	Tormey
Brodsky	Fitzgerald	Mooers	Tozier
Carpenter, E. A.	Gillette	Peck	Travis
Carpenter, I. S.	Gorsline	Pitcher	Treanor
Case	Gray	Potter	Tuthill, H. H.
Catlin	Griggs	Potts	Tuttle, R. M.
Clark	Grosse	Roberts	Warner
Clowes	Gwinup	Root	Waterbury
Cohen	Hayes	Russell	Wells, D. A.
Comstock	Hoffman	Sanders	Wells, J. L.
Congdon	Howland	Seeley	Wiley
Cookinham	Hurd	Shanley	Wren
Costello	Husted	Sheridan	Youngs
Crapser	Ingersoll	Sherman	

Those who voted in the negative, were

Cushing                      Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section    of title 11 of chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sherman
Andrews	Crapser	Ingersoll	Shuit
Baker, B. F.	Curtis	Kennedy	Sipp
Baker, C. S.	Cushing	Lefever	Skinner
Beach	Davis	Liddle	Slingerland
Beates	Deane	Low	Steele
Benedict, E. D.	Dougherty	McAvoy	Strait
Benedict, T. E.	Douglass	McCabe	Tallmadge
Bradley	Duell	McCarthy	Terpeny
Brennan	Duguid	McDonald	Terry
Bridges	Ellis	Miller	Thilemann
Brodsky	Evans	Mitchell	Titus
Carpenter, E. A.	Ferris	Mooers	Tormey
Carpenter, I. S.	Fish	Nowlan	Tozier
Case	Fitzgerald	O'Connor	Travis
Oatlin	Gillette	Peck	Treanor
Chamberlain	Gorsline	Pitcher	Tully
Chickering	Gray	Potter	Tuthill, H. H.
Childs	Griggs	Potts	Tuttle, R. M.
Clark	Gwinup	Roberts	Warner
Clowes	Hagan	Root	Waterbury
Cohen	Hayes	Russell	Wells, D. A.
Comstock	Hoffman	Sanders	Wells, J. L.
Congdon	Howland	Seeley	Wren
Cookinham	Hurd	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act protecting fish in certain waters of the State," being announced for a third reading,

Mr. Titus moved to recommit said bill to the committee on game laws, with instructions to amend said bill in words following:

Section 1, line 3, after the words "Cross or" insert the words "Cayuga lake."

Section 3, line 13, after the word "Erie" insert the words "Seneca, Tompkins," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Travis moved to recommit said bill to the committee on game laws with instructions to amend said bill in words following:

Add to section 1: "But nothing in this section shall apply to such of the waters of Cross lake or Seneca river as lies within the counties of Cayuga and Seneca."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Davis	Miller	Slingerland
Baker, C. S.	Dougherty	Mitchell	Strait

Beach	Douglass	Mooers	Tallmadge
Benedict, E. D.	Duell	Nowlan	Terpeny
Bradley	Duguid	O'Connor	Terry
Brennan	Ellis	Peck	Thilemann
Bridges	Fish	Potts	Titus
Brotsky	Fitzgerald	Root	Tozier
Carpenter, E. A.	Gorsline	Russell	Travis
Carpenter, I. S.	Griggs	Sanders	Treanor
Chamberlain	Hayes	Seeley	Van Valkenburgh
Chickering	Hoffman	Shanley	Walsh
Clowes	Hurd	Sheridan	Warner
Cohen	Kennedy	Sherman	Wells, D. A.
Congdon	Liddle	Shuit	Weston
Cookinham	Low	Sipp	Wiley
Costello	McAvoy	Skinner	Youngs
Cushing	Mead		

Those who voted in the negative, were

Crapser	Howland	Tully	Waterbury
Evans	Steele		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Seeley
Andrews	Curtis	Ingersoll	Sherman
Baker, B. F.	Cushing	Kennedy	Shuit
Baker, C. S.	Davis	Lefever	Sipp
Beach	Deane	Liddle	Skinner
Beates	Dougherty	Low	Slingerland
Benedict, E. D.	Douglass	McAvoy	Strait
Benedict, T. E.	Duell	McCabe	Tallmadge
Bennett	Duguid	McDonald	Terpeny
Bradley	Ellis	Mead	Terry
Brennan	Evans	Miller	Thilemann
Bridges	Ferris	Mitchell	Titus
Brotsky	Fish	Mooers	Tozier
Carpenter, E. A.	Fiske	Newman	Travis
Carpenter, I. S.	Fitzgerald	Nowlan	Treanor
Case	Gorsline	O'Connor	Tully
Catlin	Gray	Peck	Van Valkenburgh
Chickering	Griggs	Pitcher	Walsh
Clowes	Gwinup	Potter	Warner
Cohen	Hagan	Potts	Waterbury
Comstock	Havens	Roberts	Wells, D. A.
Congdon	Hayes	Root	Weston
Cookinham	Hoffman	Russell	Wren
Costello	Howland	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to Furman street in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Shuit
Andrews	Cushing	McAvoy	Sipp
Baker, B. F.	Davis	McCabe	Skinner
Baker, C. S.	Deane	McDonald	Slingerland
Benedict, T. E.	Dougherty	Mead	Steele
Bennett	Douglass	Miller	Strait
Bradley	Duell	Mitchell	Tallmadge
Brennan	Duguid	Mooers	Terpeny
Bridges	Ellis	Morgan	Terry
Brodsky	Evans	Newman	Thilemann
Carpenter, E. A.	Ferris	Nowlan	Titus
Carpenter, I. S.	Fish	O'Connor	Tozier
Case	Gorsline	Peck	Travis
Catlin	Gray	Pitcher	Treanor
Chamberlain	Griggs	Potter	Tully
Chickering	Gwinup	Potts	Walsh
Childs	Hayes	Roberts	Warner
Clark	Hoffman	Root	Waterbury
Clowes	Howland	Russell	Wells, D. A.
Cohen	Hurd	Sanders	Weston
Comstock	Ingersoll	Seeley	Wiley
Congdon	Kennedy	Shanley	Wren
Cookinham	Lefever	Sheridan	Youngs
Crapsier	Liddle	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 513, entitled "An act in relation to agriculture," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to incorporate the Friendship Association of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Costello	Kennedy	Shanley
Baker, B. F.	Cushing	Lefever	Sheridan

Baker, C. S.	Davis	Lindsay	Sherman
Beates	Deane	Low	Shuit
Benedict, E. D.	Dougherty	McAvoy	Sipp
Benedict, T. E.	Douglass	McCabe	Skinner
Bennett	Duell	McDonald	Slingerland
Bradley	Duguid	Mead	Steele
Brennan	Ellis	Miller	Strait
Bridges	Evans	Mitchell	Tallmadge
Brodsky	Ferris	Mooers	Terpeny
Carpenter, E. A.	Fish	Morgan	Terry
Carpenter, I. S.	Gorsline	Nowlan	Thilemann
Case	Gray	O'Connor	Titus
Catlin	Griggs	Peck	Tozier
Chamberlain	Grosse	Pitcher	Tully
Childs	Gwinup	Potter	Walsh
Clark	Hayes	Potts	Warner
Clowes	Hoffman	Roberts	Waterbury
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Weston
Congdon	Husted	Sanders	Wren

Those who voted in the negative, were

Orapser                      Treanor

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth."

"An act to incorporate the Knights of the Maccabees of the World."

"An act to legalize the official acts of Henry C. Wood as notary public."

"An act to provide for payment of the expense of certain proceedings against public officers in the city of New York."

"An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought."

"An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes.'"

"An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

"An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town.'"

"An act to authorize a treaty with the Onondaga Indians."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

The bill entitled "An act to amend chapter 267 of the Laws of 1875,

entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Seeley
Andrews	Deane	Lindsay	Shanley
Baker, C. S.	Dougherty	Low	Sheridan
Beach	Douglass	McAvoy	Sherman
Beates	Duell	McCabe	Shuit
Benedict, E. D.	Duguid	McDonald	Skinner
Benedict, T. E.	Ellis	McTernan	Slingerland
Bradley	Ferris	Mead	Steele
Brennan	Fitzgerald	Miller	Tallmadge
Bridges	Gorsline	Mitchell	Terry
Brotsky	Gray	Mooers	Thilemann
Carpenter, E. A.	Gwinup	Morgan	Titus
Case	Hagan	Newman	Tozier
Catlin	Havens	Nowlan	Tully
Chickering	Hayes	Peck	Tuthill, H. H.
Childs	Hoffman	Pitcher	Van Valkenburgh
Clowes	Howland	Potter	Warner
Comstock	Hurd	Potts	Waterbury
Congdon	Husted	Roberts	Wells, D. A.
Cookinham	Ingersoll	Root	Wells, J. L.
Crapser	Kennedy	Russell	Weston
Curtis	Lefever	Sanders	Wren
Cushing			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Seeley
Andrews	Davis	Liddle	Shanley
Baker, C. S.	Deane	Lindsay	Sherman
Beach	Dougherty	Low	Shuit
Beates	Douglass	McAvoy	Skinner
Benedict, T. E.	Duell	McCabe	Slingerland
Bennett	Duguid	McDonald	Steele
Bradley	Ellis	McTernan	Tallmadge
Brennan	Evans	Mead	Terpeny
Bridges	Ferris	Miller	Terry
Brotsky	Fish	Mitchell	Titus
Carpenter, I. S.	Fiske	Mooers	Tozier
Catlin	Gorsline	Morgan	Travis

Chamberlain	Gray	Newman	Tuthill, H. H.
Chase	Grosse	Nowlan	Van Valkenburgh
Childs	Gwinup	Peck	Warner
Clark	Hagan	Pitcher	Waterbury
Clowes	Havens	Potts	Wells, D. A.
Comstock	Howland	Roberts	Wells, J. L.
Congdon	Hurd	Root	Weston
Cookinham	Husted	Russell	Wren
Curtis	Ingersoll	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Cushing	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Skinner
Beates	Dougherty	McCabe	Slingerland
Benedict, E. D.	Douglass	McDonald	Tallmadge
Bennett	Duguid	McTernan	Terpeny
Bradley	Ellis	Mead	Terry
Brennan	Evans	Miller	Thilemann
Bridges	Ferris	Mitchell	Titus
Brodsky	Fish	Mooers	Travis
Carpenter, I. S.	Gorsline	Newman	Tuthill, H. H.
Case	Gray	Nowlan	Van Valkenburgh
Catlin	Gwinup	Peck	Varnum
Chamberlain	Hagan	Pitcher	Warner
Childs	Havens	Potts	Waterbury
Clowes	Hayes	Roberts	Wells, D. A.
Comstock	Hoffman	Root	Wells, J. L.
Congdon	Hurd	Russell	Weston
Cookinham	Husted	Sanders	Wren
Crapser	Ingersoll	Seeley	Youngs
Cullinan	Kennedy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Andrews	Cushing	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Skinner
Beates	Dougherty	McAvoy	Slingerland
Benedict, E. D.	Duell	McCabe	Steele
Benedict, T. E.	Duguid	McCarthy	Tallmadge
Bennett	Ellis	McDonald	Terpeny
Bradley	Ferris	Mead	Terry
Brennan	Fish	Miller	Thilemann
Bridges	Fiske	Mitchell	Titus
Brodsky	Gorsline	Mooers	Tozier
Carpenter, E. A.	Gray	Peck	Tuthill, H. H.
Case	Gwinup	Pitcher	Van Valkenburgh
Catlin	Hagan	Potts	Varnum
Chamberlain	Havens	Roberts	Warner
Chase	Hayes	Root	Waterbury
Childs	Hoffman	Russell	Wells, D. A.
Clowes	Howland	Sanders	Wells, J. L.
Comstock	Hurd	Seeley	Weston
Congdon	Husted	Shanley	Wren
Cookinham	Ingersoll	Sheridan	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town,'" being announced for a third reading,

Mr. Russell moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following:

Section 2, line 14, after the word "follows" insert the following: "For the second judicial district library at Brooklyn, the sum of \$2,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported said bill back, amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,



a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 15 }

Those who voted in the affirmative, were

Andrews	Deane	Low	Sipp
Baker, C. S.	Dougherty	McAvoy	Skinner
Beates	Douglass	McCabe	Strait
Benedict, E. D.	Evans	McCarthy	Tallmadge
Bennett	Fiske	McDonald	Terpeny
Bradley	Fitzgerald	McTernan	Terry
Brodsky	Gillette	Mead	Thilemann
Carpenter, E. A.	Gorsline	Miller	Titus
Carpenter, I. S.	Gray	Newman	Tormey
Catlin	Grosse	O'Connor	Tozier
Chickering	Hagan	Potts	Travis
Clancy	Hayes	Roberts	Treanor
Clark	Hurd	Russell	Varnum
Clowes	Husted	Sanders	Walsh
Cohen	Ingersoll	Seeley	Waterbury
Congdon	Kennedy	Shanley	Wells, D. A.
Cookinham	Lefever	Sheridan	Wells, J. L.
Cullinan	Liddle	Sherman	Weston
Cushing	Lindsay	Shuit	Youngs
Davis			

Those who voted in the negative, were

Alvord	Crapser	Fish	Mitchell
Benedict, T. E.	Curtis	Gwinup	Root
Bridges	Ellis	Havens	Slingerland
Case	Ferris	Hoffman	

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

The bill entitled "An act relating to certain assessments in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 1 }

Those who voted in the affirmative, were

Baker, C. S.	Fish	McDonald	Steele
Brennan	Fiske	McTernan	Strait
Brodsky	Gillette	Mead	Tallmadge
Carpenter, E. A.	Gorsline	Miller	Terpeny
Carpenter, I. S.	Gray	Newman	Terry
Case	Grosse	Nowlan	Thilemann
Chamberlain	Hagan	O'Connor	Titus
Chickering	Havens	Potts	Tormey
Clowes	Hayes	Roberts	Tozier
Cohen	Hoffman	Root	Travis
Congdon	Howland	Russell	Treanor
Cullinan	Hurd	Sanders	Tuthill, H. H.
Curtis	Husted	Seeley	Varnum

**MAY 18.]**

**1873**

Cushing	Kennedy	Shanley	Walsh
Davis	Lefever	Sheridan	Waterbury
Deane	Liddle	Sherman	Wells, D. A.
Dougherty	Lindsay	Shuit	Wells, J. L.
Douglass	McAvoy	Sipp	Weston
Duell	McCabe	Skinner	Wren
Evans	McCarthy	Slingerland	Youngs
Ferris			

Those who voted in the negative, were  
Bradley

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of 'corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sherman
Andrews	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Daguid	McCabe	Steele
Benedict, T. E.	Evans	McCarthy	Strait
Brennan	Ferris	McDonald	Tallmadge
Bridges	Fish	McTernan	Terpeny
Brodsky	Fiske	Mead	Terry
Carpenter, E. A.	Gorsline	Miller	Thilemann
Carpenter, I. S.	Gray	Mitchell	Titus
Case	Grosse	Newman	Tormey
Oatlin	Gwinnup	Nowlan	Tozier
Chamberlain	Hagan	Pitcher	Treanor
Chase	Havens	Potts	Tully
Chickering	Hayes	Roberts	Tuthill, H. H.
Clark	Hoffman	Root	Varnum
Clowes	Howland	Russell	Warner
Cohen	Hurd	Sanders	Waterbury
Comstock	Husted	Seeley	Wells, D. A.
Congdon	Ingersoll	Shanley	Wells, J. L.
Cookinham	Kennedy	Sheridan	Weston
Curtis			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn,' as amended by chapter 504 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 47 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Chase	Ferris	Liddle
Andrews	Chickering	Fish	Low
Baker, C. S.	Childs	Fiske	McCabe
Beates	Clark	Gorsline	Miller
Benedict, T. E.	Clowes	Gray	Roberts
Brennan	Congdon	Griggs	Sanders
Bridges	Cookinham	Havens	Seeley
Brodsky	Curtis	Howland	Sherman
Carpenter, E. A.	Davis	Hurd	Shuit
Carpenter, I. S.	Douglass	Ingersoll	Wells, J. L.
Case	Duguid	Kennedy	Youngs
Chamberlain	Evans	Lefever	

Those who voted in the negative, were

Clancy	Mitchell	Shanley	Treanor
Cohen	Newman	Sheridan	Walsh
Hoffman	Root		

Mr. Mitchell moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Mr. Travis moved to reconsider the vote by which Senate bill No. 307, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Senate bill entitled "An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Deane	Ingersoll	Shanley
Andrews	Douglass	Kennedy	Sheridan
Beates	Duguid	Lefever	Sherman
Benedict, E. D.	Ellis	Liddle	Shuit
Bradley	Evans	Lindsay	Skinner
Brennan	Ferris	McAvoy	Slingerland
Bridges	Fish	McCabe	Steele
Brodsky	Fiske	McDonald	Strait
Carpenter, I. S.	Fitzgerald	McTernan	Tallmadge
Case	Gillette	Miller	Terpeny
Catlin	Gorsline	Mitchell	Terry

Chamberlain	Gray	Newman	Titus
Chickering	Gwinup	Pitcher	Tozier
Childs	Hagan	Potts	Travis
Congdon	Hayes	Roberts	Tully
Cookinham	Hoffman	Root	Tuthill, H. H.
Cullinan	Howland	Russell	Waterbury
Curtis	Hurd	Sanders	Wells, D. A.
Cushing	Husted	Seeley	Weston
Davis			

Those who voted in the negative, were

Cohen                      Walsh                      Wells, J. L.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Husted moved that Assembly bill entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Senate bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shuit
Andrews	Cushing	Lindsay	Sipp
Beates	Davis	Low	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T. E.	Duguid	McCarthy	Steele
Bennett	Ellis	McDonald	Tallmadge
Bradley	Evans	McTernan	Terpeny
Brennan	Ferris	Miller	Terry
Bridges	Fish	Mitchell	Thilemann
Brodsky	Fiske	Newman	Titus
Carpenter, E. A.	Gorsline	Nowlan	Tozier
Carpenter, I. S.	Gray	Pitcher	Travis
Case	Hagan	Potts	Tully
Oatlin	Havens	Roberts	Tuthill, H. H.
Chamberlain	Hayes	Root	Varnum
Chickering	Howland	Russell	Waterbury
Clark	Hurd	Sanders	Wells, D. A.
Clowes	Husted	Seeley	Wells, J. L.
Congdon	Ingersoll	Shanley	Weston
Orapser	Kennedy	Sheridan	Wren
Cullinan	Lefever	Sherman	Youngs

Those who voted in the negative, were

Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Douglass	Low	Shuit
Andrews	Duell	McAvoy	Sipp
Beates	Duguid	McCabe	Skinner
Benedict, T. E.	Fish	McCarthy	Slingerland
Bradley	Fiske	McDonald	Steele
Brennan	Fitzgerald	McTernan	Tallmadge
Bridges	Gillette	Mead	Terpeny
Brodsky	Gorsline	Miller	Terry
Case	Gray	Morgan	Titus
Catlin	Gwinup	Newman	Tozier
Chamberlain	Hagan	O'Connor	Travis
Chickering	Hayes	Peck	Treanor
Clark	Hoffman	Pitcher	Tully
Cohen	Howland	Potts	Futhill, H. H.
Costello	Hurd	Roberts	Waterbury
Cullinan	Husted	Root	Wells, D. A.
Curtis	Kennedy	Sanders	Wells, J. L.
Cushing	Lefever	Shanley	Weston
Davis	Liddle	Sheridan	Wren
Deane	Lindsay	Sherman	Youngs

Those who voted in the negative, were

Ellis

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Sherman
Andrews	Deane	Lindsay	Shuit
Beates	Douglass	McAvoy	Sipp
Benedict, T. E.	Duell	McCabe	Skinner
Bennett	Duguid	McCarthy	Slingerland
Bradley	Evans	McDonald	Steele
Brodsky	Ferris	McTernan	Tallmadge
Carpenter, I. S.	Fiske	Miller	Terpeny

Case	Fitzgerald	Mooers	Terry
Catlin	Gillette	Morgan	Titus
Chamberlain	Gorsline	Newman	Tozier
Chickering	Gray	Peck	Travis
Childs	Gwinup	Pitcher	Tully
Clark	Hayes	Potts	Varnum
Clowes	Hoffman	Roberts	Waterbury
Cohen	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Cookinham	Husted	Sanders	Weston
Cullinan	Ingersoll	Seeley	Wren
Curtis	Kennedy	Shanley	Youngs
Cushing	Lefever	Sheridan	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Empire Yacht Club of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Andrews	Dougherty	Lindsay	Sheridan
Baker, B. F.	Douglass	Low	Sherman
Baker, C. S.	Duell	McAvoy	Shuit
Beach	Duguid	McCabe	Sipp
Beates	Ellis	McCarthy	Skinner
Benedict, T. E.	Evans	McDonald	Slingerland
Bennett	Ferris	Mead	Steele
Brennan	Fish	Miller	Strait
Bridges	Fiske	Mitchell	Tallmadge
Brodsky	Fitzgerald	Mooers	Terpeny
Carpenter, E. A.	Gorsline	Morgan	Terry
Carpenter, I. S.	Gray	Newman	Thilemann
Case	Griggs	Nowlan	Titus
Catlin	Gwinup	O'Connor	Tormey
Chamberlain	Hagan	Peck	Tozier
Chickering	Havens	Phillips	Travis
Childs	Hayes	Pitcher	Treanor
Clark	Hoffman	Potter	Tully
Clowes	Howland	Potts	Walsh
Cohen	Hurd	Roberts	Warner
Comstock	Husted	Root	Waterbury
Cookinham	Ingersoll	Russell	Wells, D. A.
Cullinan	Kennedy	Sanders	Wells, J. L.
Curtis	Lefever	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Gorsline, and by unanimous consent, the committee of the whole were discharged from the further consideration of Senate bill entitled "An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,'" and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Seeley
Andrews	Davis	Liddle	Shanley
Baker, B. F.	Deane	Lindsay	Sheridan
Baker, C. S.	Dougherty	Low	Sherman
Beates	Douglass	McAvoy	Shuit
Bradley	Ellis	McCabe	Sipp
Brennan	Evans	McCarthy	Skinner
Bridges	Ferris	McDonald	Slingerland
Brodsky	Fish	Mead	Steele
Carpenter, E. A.	Fitzgerald	Miller	Strait
Carpenter, I. S.	Gillette	Mitchell	Tallmadge
Care	Gorsline	Mooers	Terpeny
Catlin	Gray	Morgan	Thilemann
Chamberlain	Griggs	Nowlan	Titus
Childs	Gwinup	O'Connor	Tozier
Clark	Hagan	Peck	Tully
Clowes	Havens	Pitcher	Varuum
Cumstock	Hayes	Potts	Warner
Cungdon	Hoffman	Roberts	Waterbury
Cookinham	Howland	Root	Wells, D. A.
Crapser	Ingersoll	Russell	Wells, J. L.
Cullinan	Kennedy	Sanders	Weston

Those who voted in the negative, were

Chickering Newman Tormey

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Crapser	Hayes	Roberts
Andrews	Cullinan	Hoffman	Root
Baker, B. F.	Curtis	Howland	Sanders
Baker, C. S.	Cushing	Hurd	Seeley
Beates	Davis	Husted	Sherman
Benedict, E. D.	Deane	Ingersoll	Shuit
Brennan	Dougherty	Kennedy	Slingerland
Bridges	Douglass	Lefever	Steele
Brodsky	Duguid	Liddle	Strait
Carpenter, E. A.	Ferris	Low	Tallmadge



Carpenter, I. S.	Fish	McAvoy	Terpeny
Case	Fitzgerald	McCabe	Thilemann
Catlin	Gillette	McCarthy	Titus
Chamberlain	Gorsline	McDonald	Treanor
Childs	Gray	Mead	Varnum
Clark	Griggs	Nowlan	Walsh
Cohen	Grosse	O'Connor	Waterbury
Comstock	Gwinup	Peck	Wells, J. L.
Congdon	Hagan	Pitcher	Weston
Costello			

Those who voted in the negative, were

Chickering	Evans	Newman	Skinner
Cookinham	Miller	Potts	Youngs
Ellis	Mitchell	Sipp	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 524 of the Laws of 1853, entitled 'An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Seeley
Andrews	Curtis	Ingersoll	Shanley
Baker, B. F.	Cushing	Kennedy	Sheridan
Baker, C. S.	Davis	Lefever	Sherman
Beates	Dougherty	Liddle	Shuit
Benedict, T. E.	Douglass	Low	Sipp
Bennett	Duguid	McAvoy	Skinner
Bradley	Ellis	McCabe	Slingerland
Brennan	Evans	McCarthy	Steele
Bridges	Ferris	McDonald	Strait
Brodsky	Fish	Mead	Tallmadge
Carpenter, E. A.	Fiske	Miller	Terpeny
Carpenter, I. S.	Fitzgerald	Mitchell	Thilemann
Case	Gillette	Mooers	Titus
Catlin	Gorsline	Morgan	Tozier
Chamberlain	Gray	Nowlan	Travis
Chickering	Griggs	O'Connor	Tully
Childs	Grosse	Peck	Varnum
Clark	Gwinup	Pitcher	Walsh
Clowes	Hagan	Potts	Warner
Comstock	Hayes	Roberts	Waterbury
Congdon	Hoffman	Root	Wells, D. A.
Cookinham	Howland	Russell	Wells, J. L.
Crapser	Hurd	Sanders	Weston

Those who voted in the negative, were

Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Kennedy	Seeley
Andrews	Davis	Lefever	Shanley
Baker, B. F.	Deane	Liddle	Sheridan
Baker, C. S.	Dougherty	Low	Sherman
Beach	Douglass	McAvoy	Shuit
Beates	Duell	McCabe	Sipp
Benedict, T. E.	Duguid	McCarthy	Skinner
Brennan	Ellis	McDonald	Slingerland
Bridges	Evans	Mead	Steele
Brotsky	Ferris	Miller	Strait
Carpenter, E. A.	Fish	Mitchell	Tallmadge
Carpenter, I. S.	Fitzgerald	Mooers	Terpeny
Catlin	Gillette	Morgan	Thilemann
Chamberlain	Gorsline	Nowlan	Titus
Chickering	Gray	O'Connor	Tozier
Childs	Griggs	Peck	Tully
Clark	Gwinup	Pitcher	Varnum
Olowes	Hagan	Potter	Warner
Gomstock	Hayes	Potts	Waterbury
Congdon	Hoffman	Roberts	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Orapser	Hurd	Russell	Weston
Cullinan	Ingersoll	Sanders	Youngs
Curtis			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' and also section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Duguid	McAvoy	Sheridan
Andrews	Ellis	McCabe	Sherman
Baker, B. F.	Evans	McCarthy	Shuit
Baker, C. S.	Ferris	McDonald	Sipp
Beach	Fish	Mead	Skinner
Beates	Fiske	Miller	Slingerland

Bradley	Fitzgerald	Mitchell	Steele
Brennan	Gillette	Mooers	Strait
Brodsky	Gorsline	Morgan	Tallmadge
Carpenter, I. S.	Gray	Newman	Terpeny
Catlin	Griggs	Nowlan	Thilemann
Chickering	Grosse	O'Connor	Tozier
Childs	Gwinup	Peck	Travis
Clark	Hayes	Pitcher	Tully
Clowes	Hoffman	Potter	Van Valkenburgh
Comstock	Howland	Potts	Varnum
Congdon	Hurd	Roberts	Warner
Cookinham	Husted	Root	Waterbury
Crapser	Ingersoll	Russell	Wells, D. A.
Curtis	Kennedy	Sanders	Wells, J. L.
Davis	Lefever	Seeley	Weston
Dougherty	Liddle	Shanley	Youngs
Douglass	Low		

Those who voted in the negative, were  
Benedict, T. E.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act further to amend chapter 413 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the city of Rochester, as amended by chapter 14 of the Laws of 1880,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sanders
Andrews	Curtis	Kennedy	Seeley
Baker, B. F.	Cushing	Lefever	Shanley
Baker, C. S.	Davis	Liddle	Sheridan
Beach	Deane	Low	Shuit
Beates	Dougherty	McAvoy	Sipp
Benedict, T. E.	Douglass	McCabe	Skinner
Bradley	Duguid	McCarthy	Slingerland
Brennan	Evans	McDonald	Steele
Bridges	Ferris	Mead	Strait
Brodsky	Fish	Miller	Tallmadge
Carpenter, E. A.	Fitzgerald	Mooers	Terpeny
Carpenter, I. S.	Gorsline	Newman	Terry
Case	Gray	Nowlan	Tozier
Catlin	Griggs	O'Connor	Travis
Chickering	Grosse	Peck	Tully
Childs	Hagan	Pitcher	Varnum
Clark	Hayes	Potts	Waterbury
Clowes	Hoffman	Roberts	Wells, J. L.
Comstock	Howland	Root	Youngs
Cookinham	Husted	Russell	

Those who voted in the negative, were  
Gwinup                      Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the rebuilding of Fulton market in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Davis	Ingersoll	Sanders
Andrews	Deane	Kennedy	Seeley
Baker, B. F.	Douglass	Lefever	Sheridan
Baker, C. S.	Duell	Liddle	Sherman
Beach	Duguid	Lindsay	Shuit
Beates	Evans	Low	Skinner
Bradley	Ferris	McAvoy	Slingerland
Bridges	Fish	McCabe	Steele
Brotsky	Fiske	McDonald	Tallmadge
Carpenter, E. A.	Fitzgerald	Mead	Terpeny
Carpenter, I. S.	Gillette	Miller	Terry
Case	Gorsline	Mitchell	Thilemann
Chickering	Gray	Mooers	Treanor
Childs	Griggs	Newman	Tully
Clark	Grosse	Nowlan	Van Valkenburgh
Clowes	Gwinup	O'Connor	Varnum
Comstock	Havens	Peck	Walsh
Congdon	Hayes	Pitcher	Waterbury
Cookinham	Hoffman	Potts	Wells, J. L.
Crapser	Howland	Roberts	Weston
Cullinan	Hurd	Root	Wren
Curtis	Husted	Russell	Youngs
Cushing			

Those who voted in the negative, were

Bennett	Dougherty	Shanley
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 374 of the Laws of 1868, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Ellis	McCabe	Sipp
Andrews	Evans	McCarthy	Sisson

Baker, C. S.	Ferris	McDonald	Skinner
Beach	Fish	McTernan	Slingerland
Benedict, T. E.	Fitzgerald	Mead	Steele
Brennan	Gillette	Miller	Strait
Bridges	Gorsline	Mooers	Tallmadge
Brodsky	Hagan	Newman	Terpeny
Carpenter, I. S.	Havens	O'Connor	Terry
Catlin	Hayes	Peck	Thilemann
Chamberlain	Hoffman	Pitcher	Titus
Clark	Howland	Potts	Tormey
Clowes	Hurd	Roberts	Tozier
Congdon	Husted	Root	Travis
Curtis	Ingersoll	Russell	Treanor
Cushing	Kennedy	Sanders	Van Valkenburgh
Davis	Lefever	Seeley	Waterbury
Deane	Liddle	Shanley	Wells, D. A.
Dougherty	Lindsay	Sheridan	Wells, J. L.
Douglass	Low	Sherman	Weston
Duguid	McAvoy	Shuit	Wren

Those who voted in the negative, were

Chickering      Duell      Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to incorporate the 'Governor's Guard' of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 61 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sherman
Andrews	Davis	Lefever	Shuit
Baker, C. S.	Dougherty	Liddle	Sisson
Beach	Duguid	McCarthy	Steele
Beates	Evans	Mead	Strait
Benedict, T. E.	Ferris	Miller	Thilemann
Brennan	Fish	Mooers	Titus
Brodsky	Gillette	Morgan	Tozier
Carpenter, E. A.	Gorsline	Newman	Tully
Carpenter, I. S.	Griggs	Nowlan	Van Valkenburgh
Catlin	Hagan	O'Connor	Walsh
Chase	Havens	Peck	Waterbury
Childs	Hayes	Sanders	Wells, D. A.
Olanoy	Hurd	Shanley	Weston
Clark	Ingersoll	Sheridan	Wren
Clowes			

Those who voted in the negative, were

Bradley	Curtis	Howland	Root
Bridges	Cushing	Husted	Seeley
Chickering	Deane	Low	Sipp
Congdon	Douglass	McDonald	Skinner
Cookinham	Duell	Pitcher	Varnum
Costello	Gray	Potts	Youngs
Crapser	Hoffman	Roberts	

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Duguid offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 23, general orders 21, entitled "An act to regulate voting by stock and bondholders of railroad corporations," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm certain deeds given by the mayor and aldermen of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Duguid	Miller	Steele
Andrews	Evans	Mitchell	Tallmadge
Baker, C. S.	Ferris	Mooers	Terpeny
Beach	Fish	Morgan	Terry
Beates	Fitzgerald	Newman	Thilemann
Bradley	Gillette	Nowlan	Titus
Brennan	Gorsline	Pitcher	Tozier
Bridges	Grosse	Potts	Travis
Brodsky	Hayes	Root	Tully
Carpenter, E. A.	Hoffman	Russell	Van Valkenburgh
Chickering	Hurd	Sanders	Varnum
Clark	Ingersoll	Seeley	Walsh
Cookinham	Kennedy	Shanley	Waterbury
Crapser	Lefever	Sheridan	Wells, D. A.
Oullinan	McAvoy	Sherman	Wells, J. L.
Curtis	McCabe	Shuit	Weston
Davis	McCarthy	Sisson	Wren
Dougherty	McDonald	Skinner	Youngs
Douglass	Mead	Slingerland	

Those who voted in the negative, were

Benedict, T. E.	Clancy	Ellis	Havens
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company.'"

"An act to abolish the office of marshal of the city of New York, and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same."

"An act to authorize the trustees of the village of Pierrepont, in the county of Rockland, to macadamize the highway in said village."

"An act supplemental to chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers.'"

"An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben."

"An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations.'"

"An act relating to the title to personal property."

"An act to amend section 376 of the Code of Civil Procedure."

"An act to provide for the rebuilding of Fulton market in the city of New York."

"An act to facilitate the collection of judgments."

"An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy."

"An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

"An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York.'"

"An act for the preservation of the public health in the city of New York."

"An act for the relief of Phillip Hathaway."

"An act relating to certain assessments for local improvements in the city of New York."

A message from the Senate was received and read, informing of concurrence in Assembly resolutions, asking the return by the Governor of Assembly bill No. 153, entitled "An act declaring Independence river, and its tributaries in Lewis and Herkimer counties, a public highway;" also, "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," for amendment.

*Ordered*, That the Clerk deliver said resolutions to the Governor.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westport, Essex county, New York, on real estate security."

"An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York."

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo.'"

"An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof."

*Ordered*, That the Clerk deliver said bills to the Governor.

The hour of 8 having arrived, the House adjourned.



## WEDNESDAY MORNING, MAY 19, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Samuel E. Smith.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Johnson, also Hon. Samuel D. Morris.

The bill entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from the courts of oyer and terminer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Seeley
Andrews	Cushing	Kennedy	Shanley
Beach	Davis	Lefever	Sherman
Beates	Deane	Liddle	Shuit
Benedict, E. D.	Dougherty	Lindsay	Sisson
Bradley	Douglass	McAvoy	Skinner
Brennan	Ellis	Miller	Steele
Bridges	Evans	Mooers	Tallmadge
Brodsky	Ferris	Morgan	Terpeny
Bullock	Fish	Newman	Tormey
Carpenter, I. S.	Fiske	Nowlan	Tozier
Case	Gibbs	Parker	Treanor
Childs	Gorsline	Peck	Tuthill, H. H.
Clark	Gray	Phillips	Waterbury
Clowes	Griggs	Pitcher	Wells, D. A.
Cohen	Gwinup	Potts	Wells, J. L.
Comstock	Hagan	Roberts	Weston
Congdon	Havens	Root	Wren
Crapser	Hoffman	Russell	Youngs
Cullinan	Howland	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sanders
Andrews	Curtis	Lefever	Seeley

Baker, C. S.	Davis	Liddle	Shuit
Beates	Deane	Lindsay	Sisson
Benedict, E. D.	Dougherty	Low	Skinner
Benedict, T. E.	Douglass	McCabe	Steele
Bradley	Duell	McCarthy	Tallmadge
Brennan	Ellis	Miller	Terpeny
Bridges	Evans	Mooers	Thilemann
Brodsky	Ferris	Morgan	Tormey
Bullock	Fish	Parker	Tozier
Carpenter, I. S.	Fitzgerald	Peck	Tully
Case	Gibbs	Phillips	Tuthill, H. H.
Childs	Gray	Pitcher	Varnum
Clancy	Griggs	Potts	Waterbury
Clark	Gwinup	Rhodes	Wells, D. A.
Clowes	Hagan	Roberts	Wells, J. L.
Congdon	Havens	Root	Weston
Costello	Howland	Russell	Wren
Crapser	Hurd		

Those who voted in the negative, were

Cohen                      Cushing

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Andrews	Davis	Lindsay	Shuit
Baker, C. S.	Deane	Low	Sisson
Beates	Dougherty	McAvoy	Skinner
Benedict, E. D.	Douglass	McCabe	Slingerland
Benedict, T. E.	Duell	McCarthy	Steele
Bennett	Ellis	Miller	Tallmadge
Bradley	Evans	Mooers	Terpeny
Brennan	Ferris	Morgan	Thilemann
Bridges	Fish	Newman	Tozier
Brodsky	Fitzgerald	Parker	Treanor
Bullock	Gibbs	Peck	Tully
Carpenter, I. S.	Gray	Pitcher	Tuthill, H. H.
Catlin	Griggs	Potts	Varnum
Childs	Gwinup	Rhodes	Warner
Clark	Hagan	Roberts	Waterbury
Clowes	Howland	Root	Wells, D. A.
Congdon	Hurd	Russell	Wells, J. L.
Costello	Husted	Sanders	Weston
Cullinan	Kennedy	Seeley	Wren
Curtis	Lefever	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Shanley
Andrews	Dougherty	Low	Sherman
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Ellis	McCabe	Slingerland
Beates	Evans	McCarthy	Steele
Benedict, E. D.	Ferris	Miller	Tallmadge
Bennett	Fish	Mooers	Terpeny
Bridges	Fitzgerald	Morgan	Terry
Brodsky	Gorsline	Newman	Tozier
Bullock	Gray	O'Connor	Treanor
Catlin	Griggs	Peck	Tully
Childs	Hagan	Pitcher	Tuthill, H. H.
Clark	Havens	Potter	Warner
Clowes	Howland	Potts	Waterbury
Cohen	Hurd	Roberts	Wells, D. A.
Congdon	Husted	Root	Wells, J. L.
Cullinan	Kennedy	Russell	Weston
Cushing	Lefever	Sanders	Wren
Davis	Liddle	Seeley	Youngs

Those who voted in the negative, were

Bradley	Curtis	Skinner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1323 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Davis	Lefever	Sheridan
Baker, B. F.	Deane	Liddle	Sherman
Baker, C. S.	Douglass	Low	Shuit
Beach	Duell	McAvoy	Sipp
Beates	Duguid	McCabe	Sisson
Benedict, E. D.	Ellis	McCarthy	Skinner
Bradley	Evans	McDonald	Slingerland
Brennan	Ferris	Miller	Steele
Bridges	Fish	Mooers	Strait
Brodsky	Fiske	Newman	Tallmadge
Bullock	Fitzgerald	Nowlan	Terpeny

Carpenter, I. S.	Gibbs	Parker	Thilemann
Case	Gillette	Peck	Titus
Catlin	Gorsline	Phillips	Tormey
Chickering	Gray	Pitcher	Tozier
Clark	Griggs	Potter	Treanor
Clowes	Gwinup	Potts	Tully
Cohen	Hagan	Rhodes	Tuthill, H. H.
Comstock	Hayes	Roberts	Varnum
Congdon	Hoffman	Root	Warner
Cookinham	Howland	Russell	Waterbury
Costello	Husted	Sanders	Weston
Cullinan	Ingersoll	Seeley	Wren
Curtis	Kennedy	Shanley	Youngs
Cushing			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the sale of adulterated article as cider vinegar," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Seeley
Andrews	Davis	Liddle	Shanley
Baker, B. F.	Deane	Lindsay	Sheridan
Baker, C. S.	Dougherty	Low	Sherman
Beach	Douglass	McAvoy	Shuit
Beates	Duell	McCabe	Sipp
Benedict, E. D.	Ellis	McCarthy	Sisson
Benedict, T. E.	Evans	McDonald	Skinner
Bennett	Ferris	Mead	Slingerland
Bradley	Fish	Miller	Steele
Brennan	Fiske	Mooers	Strait
Brodsky	Fitzgerald	Morgan	Tallmadge
Bullock	Gibbs	Newman	Terpeny
Carpenter, I. S.	Gillette	Nowlan	Thilemann
Case	Gray	O'Connor	Titus
Catlin	Griggs	Parker	Tormey
Clark	Grosse	Peck	Tozier
Clowes	Gwinup	Phillips	Treanor
Cohen	Hagan	Pitcher	Tully
Comstock	Havens	Potter	Tuthill, H. H.
Congdon	Hayes	Potts	Tuttle, R. M.
Cookinham	Hoffman	Rhodes	Varnum
Costello	Howland	Roberts	Waterbury
Crapser	Husted	Root	Weston
Cullinan	Ingersoll	Russell	Wren
Curtis	Kennedy	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 107 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Shanley
Andrews	Curtis	Kennedy	Sherman
Baker, B. F.	Cushing	Lefever	Shuit
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Sisson
Beates	Dougherty	Low	Skinner
Benedict, E. D.	Douglass	McAvoy	Slingerland
Benedict, T. E.	Duell	McCabe	Steele
Bennett	Ellis	McCarthy	Strait
Bradley	Evans	McDonald	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mitchell	Thilemann
Brodsky	Fiske	Newman	Titus
Bullock	Fitzgerald	Nowlan	Tormey
Carpenter, E. A.	Gibbs	O'Connor	Tozier
Carpenter, I. S.	Gillette	Parker	Travis
Case	Gorsline	Peck	Treanor
Catlin	Gray	Phillips	Tully
Chase	Griggs	Pitcher	Tuthill, H. H.
Clark	Grosse	Potter	Tuttle, R. M.
Clowes	Gwinup	Potts	Varnum
Cohen	Hagan	Rhodes	Walsh
Comstock	Hayes	Roberts	Warner
Congdon	Hoffman	Root	Waterbury
Cookinham	Howland	Russell	Weston
Costello	Hurd	Sanders	Youngs
Crapser	Husted	Seeley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 13 of part 1 of the Revised Statutes," being announced for a third reading,

Mr. Steele moved to recommit said bill to the special committee on taxation, with instructions to amend said bill in words following, and report forthwith:

Amend section 2 so as to read as follows:

Subdivision 4, in the fourth column, "the full value of all the taxable personal property owned or possessed by such person."

Subdivision 5, in the fifth column, "the full amount of both real and personal property owned by such persons set forth in columns 4 and 5."

Subdivision 6, in the sixth column, "the total indebtedness of such persons for property taxable under the laws of this State, after deducting therefrom the full value of all property exempt from execution owned by him."

Subdivision 7, in the seventh column, "the net assessment of such person to be obtained by deducting his indebtedness, as shown in the sixth column, from the total value of his resources, as shown in the fifth column."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele, from the special committee of taxation, reported said bill back amended as instructed by the House.

Mr. Husted moved to recommit said bill to the special committee on taxation and assessments, with instructions to amend said bill in words following:

At the end of subdivision 7, section 4, insert "excepting that the property of the trustees of the Marvin Hall and Asylum Fund in the city of New York, located at the corner of Sixth avenue and Twenty-third street in said city, and known as the Masonic Temple, shall be exempt from such assessment."

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

Mr. Steele, from said committee, reported said bill, as amended, back to the House.

Mr. Alvord moved to reconsider the motion by which the previous question was carried.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted then withdrew his motion for the previous question.

On motion of Mr. Sherman, and by unanimous consent, said bill was amended in words following:

Amend section 5 by striking out the word "immediately" and insert the words "January 1, 1881."

Mr. Shanley moved to recommit said bill to the committee on special taxation, with instruction to amend said bill in words following:

Add a new section as section 5: "Nothing in this act shall affect the real and personal estate of the Brooklyn Benevolent Association. All moneys, bonds and other property held by any charitable or religious society for the relief of the sick, the burial of the dead, or for the protection of widows and orphans."

Mr. Rhodes moved to further instruct said committee to amend as follows:

Amend subdivision 5, section 4, by striking out the words: "The use of which is given to the public without charge."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 26 }

Those who voted in the affirmative, were

Alvord	Comstock	Hoffman	Seeley
Baker, B. F.	Congdon	Howland	Sherman

Baker, C. S.	Cookinham	Ingersoll	Shuit
Beach	Crapser	Kennedy	Sissor
Beates	Curtis	Lefever	Skinner
Benedict, T. E.	Davis	Lindsay	Slingerland
Bennett	Deane	Low	Steele
Bradley	Douglass	McCabe	Tallmadge
Brennan	Duell	McCarthy	Thilemann
Bridges	Duguid	Miller	Titus
Brodsky	Ellis	Mooers	Tozier
Bullock	Evans	Morgan	Travis
Carpenter, E. A.	Ferris	Nowlan	Van Valkenburgh
Case	Fish	Parker	Warner
Chamberlain	Fiske	Phillips	Wells, D. A.
Chase	Gorsline	Potter	Wells, J. L.
Chickering	Gray	Roberts	Weston
Childs	Grosse	Root	Wren
Clark	Havens	Russell	Youngs
Clowes	Hayes	Sanders	

Those who voted in the negative, were

Benedict, E. D.	Dougherty	Newman	Tormey
Carpenter, I. S.	Fitzgerald	O'Connor	Treanor
Catlin	Gibbs	Potts	Tully
Clancy	Hagan	Shanley	Varnum
Cohen	McAvoy	Sheridan	Walsh
Costello	McTernan	Strait	Mr. Speaker
Cushing.	Mitchell		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for the establishment of a house of correction and refuge for women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend chapter 13 of part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

"An act to enlarge the powers of the Waterville Opera House Company (limited)," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act for the relief of Augustus T. Morris, and of the estate of James Cummings, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the establishment and management of a permanent fund for the Buffalo Society of Natural Sciences," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Roberts, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend Code of Civil Procedure, passed June 2, 1876, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Knights of the Maccabees of the World,"



which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act for prevention of accidents to children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate sent for concurrence the following resolutions :

*Resolved* (if the Assembly concur), that a respectful message be sent to the Governor, requesting the return of Senate bill No. 383, entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amendatory of the same, passed March 4, 1872," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), that a respectful message be sent to the Governor, requesting the return of Senate bill No. 92, entitled "An act to change the name of, and in relation to, the Association for Befriending Children," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, for the return of Senate bill No. 234, entitled "An act to amend chapter 436, entitled 'An act in relation to county treasurers,' " for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved*, That a respectful message be sent to the Assembly, requesting the return of Assembly bill No. 295, entitled "An act allowing any town to abolish the office of railroad commissioner."

*Ordered*, That the Clerk return said bill to the Senate.

Mr. Youngs moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to incorporate the Governor's Guard of the city of New York," was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Comstock	McCarthy	Steele
Andrews	Davis	McTernan	Strait
Baker, B. F.	Dougherty	Mooers	Tallmadge
Beach	Douglass	Newman	Thilemann
Benedict, E. D.	Evans	Nowlan	Tormey
Bennett	Fiske	Parker	Tozier
Bradley	Fitzgerald	Phillips	Travis
Bridges	Gibbs	Potter	Treanor
Brodsky	Gillette	Rhodes	Tully
Bullock	Gorsline	Russell	Tuthill, H. H.
Carpenter, E. A.	Hagan	Seeley	Walsh
Carpenter, I. S.	Havens	Shanley	Warner
Catlin	Hayes	Shuit	Wells, D. A.
Chase	Hurd	Sipp	Wells, J. L.
Clark	Ingersoll	Sisson	Weston
Clowes	Lindsay	Skinner	Youngs
Cohen	McAvoy	Slingerland	

Those who voted in the negative, were

Curtis	Ferris	Miller	Sherman
Duguid	Hoffman	Potts	Varnum
Ellis	Husted	Root	

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Comstock	Hayes	Sheridan
Andrews	Cullinan	Hoffman	Shuit
Baker, C. S.	Curtis	Hurd	Strait
Beach	Cushing	Ingersoll	Tallmadge
Beates	Davis	Lefever	Thilemann
Benedict, E. D.	Deane	Liddle	Titus
Bennett	Dougherty	McAvoy	Tormey
Brennan	Douglass	McCabe	Tozier
Bridges	Duguid	McCarthy	Travis
Brodsky	Ellis	McTernan	Treanor
Bullock	Evans	Mooers	Tully
Carpenter, E. A.	Ferris	Morgan	Tuthill, H. H.
Carpenter, I. S.	Fish	Newman	Walsh
Case	Fiske	Nowlan	Waterbury
Catlin	Fitzgerald	O'Connor	Wells, D. A.
Chamberlain	Gillette	Potter	Wells, J. L.
Chickering	Gorsline	Rhodes	Weston
Childs	Gray	Seelley	Wren
Clark	Hagan	Shanley	Youngs
Clowes			

Those who voted in the negative, were

Husted	Phillips	Root	Skinner
Miller	Potts	Sanders	Varnum
Peck	Roberts	Sherman	Warner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Douglass offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That the vote by which the House concurred in the resolution of the Senate, recalling Assembly bill No. 295, general orders No. 318, entitled "An act to enable any town to abolish the office of railroad commissioner, and to authorize the supervisors of such towns to discharge the duties now pertaining to said office," be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to adopt said resolution, and it was determined in the affirmative.

A message was received from the Senate in words following:

IN SENATE, *May* 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 863 of the Laws of 1873. entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Schroeder, and by unanimous consent, the same was amended as follows:

Strike out all after the word "follows," in section 1, and insert the following:

11. To regulate and license common carriers, carriers of passengers, criers, hawkers, peddlers, pawn-brokers, junk-dealers, public cartmen, truckmen, hackmen, cabmen, expressmen, dealers in coal, firewood, hay and straw, meat-shops, fishmongers, intelligence offices, auctioneers, undertakers, exhibitors, menageries, circuses, common shows, and dogs; real estate, steamboat, railroad, insurance and ticket agents; billiard saloons, bowling alleys and shooting galleries; also, vehicles of every description used on the streets and avenues, in the conduct and carrying on of any business established and transacted in said city. The common council shall also fix an annual license fee, not exceeding the sum of \$20, for each street or horse car run and operated in said city. Every railroad company, owner, or lessee, operating and running such cars, shall, on or before the first day of June in each year, certify to the city clerk the number of cars so run and operated, which certificate shall be verified by the oath of one of the managing officers of such company, owner, or lessee; and every such railroad company, owner, or lessee, shall, on or before the first day of July in each year, pay to the treasurer of said city the license fees so established for all cars so run and operated. Said license fees shall be taken in full satisfaction for the use of the streets and avenues of said city, but the same shall not relieve said companies, owners, or lessees from any obligation now required by law to keep such streets and avenues, or any part thereof, in repair.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
 { NOES 9 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shuit
Andrews	Deane	Low	Sipp
Baker, C. S.	Douglass	McCabe	Sisson
Beach	Duguid	McCarthy	Skinner
Beates	Evans	Miller	Slingerland
Benedict, E. D.	Ferris	Mooers	Steele
Bennett	Fish	Morgan	Tallmadge
Bradley	Fitzgerald	Nowlan	Terry
Bridges	Gillette	O'Connor	Tozier
Brodsky	Gorsline	Phillips	Travis
Bullock	Gray	Potter	Van Valkenburgh
† Carpenter, E. A.	Griggs	Potts	Warner
Carpenter, I. S.	Hayes	Roberts	Waterbury
Case	Hoffman	Root	Wells, D. A.
Chickering	Husted	Russell	Wells, J. L.
Childs	Ingersoll	Sanders	Weston
Clark	Kennedy	Seeley	Wren
Comstock	Lefever	Sherman	Youngs
Cookinham			

Those who voted in the negative, were

Catlin	Costello	McDonald	Shanley
Olanoy	Cushing	Rhodes	Tully
Cohen			

Mr. Russell moved to concur in Senate amendments, amended with further amendments so as to read as follows:

11. To regulate and license common carriers, carriers of passengers, criers, hawkers, peddlers, pawn-brokers, junk-dealers, dealers in coal, firewood, hay and straw, meat-shops, fishmongers, auctioneers, undertakers, intelligence offices, exhibitions, menageries, circuses, common shows, and dogs; real estate, steamboat, railroad, insurance and ticket agents; billiard saloons, bowling alleys and shooting galleries. The common council shall also fix an annual license fee, not exceeding the sum of twenty dollars, for each street or horse car daily operated and used in said city. Every railroad company operating or using such cars shall, on or before the first day of June in each year, certify to the city clerk the number of cars daily operated and used by said company, which certificate shall be verified by the oath of one of the managing officers of said company; and every such railroad company shall, on or before the first day of July in each year, pay to the treasurer of said city the license fees so established for the number of cars so operated and used by said company. Said license fees shall be taken in full satisfaction for the use of the streets or avenues of said city; but the same shall not relieve said companies from any obligation, now required by law, to keep such streets and avenues, or any part thereof, in repair.

Section 2. Title III of the said chapter 863 is hereby amended by adding at the end of said title the following:

Section 17. Whenever, during the year 1880, it shall have been the duty of the mayor and comptroller to appoint any commissioner, assessor, member of the board of education or other city officers, and they shall have failed to agree upon one or more of the persons to be appointed, for a period of ten days after they shall first have had power

to appoint, then, and in that case, the auditor of the city of Brooklyn shall have equal power with the said mayor and comptroller in making such appointments, and the said mayor, comptroller and auditor, or a majority of them, shall agree upon and appoint such officers as shall not have been agreed upon and appointed by the mayor and comptroller; but nothing herein contained shall extend the time during which such appointments may be made.

Section 3. This act shall take effect immediately.

Mr. Shanley moved to recommit said bill to the committee on affairs of cities, with instructions to have said bill printed.

Debate arising thereon,

Mr. Russell moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 35 }

Those who voted in the affirmative, were

Andrews	Cookinham	Lefever	Seeley
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Sipp
Beates	Deane	Low	Skinner
Bradley	Douglass	McCabe	Slingerland
Brennan	Duell	Miller	Steele
Bridges	Duguid	Mitchell	Tallmadge
Brodsky	Evans	Mooers	Terry
Bullock	Ferris	Morgan	Travis
Carpenter, E. A.	Fish	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fiske	Peck	Van Valkenburgh
Case	Gillette	Phillips	Varnum
Chamberlain	Gorsline	Pitcher	Warner
Chase	Gray	Potter	Waterbury
Chickering	Griggs	Potts	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clancy	Howland	Root	Weston
Clowes	Hurd	Russell	Wren
Comstock	Husted	Sanders	Youngs
Congdon	Kennedy		

Those who voted in the negative, were

Alvord	Davis	McAvoy	Sherman
Benedict, E. D.	Dougherty	McCarthy	Strait
Benedict, T. E.	Ellis	McDonald	Terpeny
Bennett	Gibbs	McTernan	Thilemann
Catlin	Gwinup	Mead	Tormey
Clark	Hagan	O'Connor	Treanor
Cohen	Havens	Rhodes	Tully
Costello	Hoffman	Shanley	Walsh
Cushing	Ingersoll	Sheridan	

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 32 }  
{ NOES 74 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McDonald	Sheridan
Benedict, T. E.	Gibbs	McTernan	Strait

Bennett  
Catlin  
Clancy  
Cohen  
Costello  
Cushing

Gwinup  
Hagan  
Havens  
Hoffman  
McAvoy  
McCarthy

Mead  
Newman  
O'Connor  
Parker  
Rhodes  
Shanley

Terpeny  
Thilemann  
Tormey  
Treanor  
Tully  
Walsh

Those who voted in the negative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Chamberlain  
Chase  
Chickering  
Childs  
Clowes

Comstock  
Congdon  
Cookinham  
Cullinan  
Curtis  
Davis  
Deane  
Douglass  
Duell  
Evans  
Ferris  
Fish  
Fiske  
Gillette  
Gorsline  
Griggs  
Hayes  
Howland  
Hurd

Husted  
Ingersoll  
Kennedy  
Lefever  
Liddle  
Lindsay  
McCabe  
Mitchell  
Mooers  
Morgan  
Nowlan  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Roberts  
Root

Russell  
Seeley  
Sherman  
Shuit  
Sisson  
Skinner  
Slingerland  
Steele  
Terry  
Titus  
Travis  
Tuthill, H. H.  
Waterbury  
Wells, D. A.  
Weston  
Wren  
Youngs  
Mr. Speaker

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Russell to amend the Senate amendments, and it was determined in the affirmative.

{ AYES 82 }  
{ NOES 30 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Bradley  
Brennan  
Bridges  
Brodsky  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Chamberlain  
Chase  
Chickering  
Childs  
Clancy  
Clowes  
Comstock  
Congdon

Cookinham  
Crapser  
Cullinan  
Davis  
Deane  
Douglass  
Duell  
Evans  
Ferris  
Fish  
Fiske  
Gillette  
Gorsline  
Griggs  
Grosse  
Hayes  
Howland  
Hurd  
Husted  
Ingersoll  
Kennedy

Lefever  
Liddle  
Lindsay  
Low  
McCabe  
Miller  
Mitchell  
Mooers  
Morgan  
Nowlan  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Roberts  
Root  
Russell  
Seeley  
Sherman

Shuit  
Sipp  
Sisson  
Skinner  
Slingerland  
Steele  
Tallmadge  
Terry  
Titus  
Travis  
Tuthill, H. H.  
Van Valkenburgh  
Varnum  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren  
Youngs  
Mr. Speaker

Those who voted in the negative, were

Benedict, E. D.  
Benedict, T. E.  
Bennett

Gibbs  
Hagan  
Havens

Mead  
Newman  
O'Connor

Strait  
Terpeny  
Thilemann

Catlin	Hoffman	Parker	Tormey
Cohen	McAvoy	Rhodes	Treanor
Costello	McCarthy	Shanley	Tully
Cushing	McDonald	Sheridan	Walsh
Dougherty	McTernan		

Mr. Clancy moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 28 }  
{ NOES 83 }

Those who voted in the affirmative, were

Benedict, E. D.	Cushing	McAvoy	Rhodes
Benedict, T. E.	Dougherty	McCarthy	Shanley
Bennett	Fitzgerald	McDonald	Thilemann
Catlin	Gibbs	McTernan	Tormey
Clancy	Gwinup	Mead	Treanor
Cohen	Havens	Newman	Tully
Costello	Hoffman	Parker	Walsh

Those who voted in the negative, were

Alvord	Congdon	Kennedy	Shuit
Andrews	Cookinham	Lefever	Sipp
Baker, B. F.	Crapser	Liddle	Sisson
Baker, C. S.	Cullinan	Lindsay	Skinner
Beach	Curtis	Low	Slingerland
Beates	Davis	McCabe	Steele
Bradley	Deane	Miller	Tallmadge
Brennan	Douglass	Mitchell	Terpeny
Bridges	Duell	Mooers	Terry
Brodsky	Evans	Morgan	Titus
Bullock	Ferris	Nowlan	Travis
Carpenter, E. A.	Fish	Peck	Tuthill, H. H.
Carpenter, I. S.	Fiske	Phillips	Van Valkenburgh
Case	Gillette	Pitcher	Varnum
Chamberlain	Gray	Potter	Waterbury
Chase	Griggs	Potts	Wells, D. A.
Chickering	Grosse	Roberts	Wells, J. L.
Childs	Hayes	Root	Weston
Clark	Howland	Russell	Wren
Clowes	Hurd	Seeley	Youngs
Comstock	Ingersoll	Sherman	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the amendments of the Senate, with further amendments.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee ; which was laid on the table and ordered printed.

(See Doc. No. 141.)

Mr. Alvord moved that the afternoon session continue until 8 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Skinner, and by unanimous consent, the bill entitled "An act establishing an experimental station," was ordered read a third time.

Said bill having been announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was amended as follows :



Section 7, line 1, after the word "of" strike out the word "eight" and insert the word "twenty;" same section, line 2, strike out the word "five" and insert the word "two;" after the word "years," same line, insert the following: "out of any moneys in the treasury not otherwise appropriated."

Section 10, strike out the words "from its passage" and insert in place thereof the word "immediately."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	McCarthy	Sherman
Andrews	Cushing	McDonald	Shuit
Baker, B. F.	Deane	Mead	Sipp
Baker, C. S.	Douglass	Miller	Sisson
Beach	Duell	Mitchell	Skinner
Beates	Duguid	Mooers	Slingerland
Brennan	Ellis	Morgan	Steele
Bridges	Evans	Nowlan	Tallmadge
Brodsky	Ferris	O'Connor	Terry
Bullock	Fish	Parker	Thilemann
Carpenter, E. A.	Fiske	Peck	Tozier
Carpenter, I. S.	Gorsline	Phillips	Travis
Catlin	Hayes	Potter	Tuthill, H. H.
Chamberlain	Hoffman	Potts	Van Valkenburgh
Chase	Howland	Rhodes	Varnum
Chickering	Hurd	Roberts	Walsh
Childs	Ingersoll	Root	Waterbury
Clark	Kennedy	Russell	Wells, D. A.
Clowes	Lefever	Sanders	Wells, J. L.
Cohen	Liddle	Seeley	Weston
Comstock	Low	Sheridan	Youngs
Cullinan	McAvoy		

Those who voted in the negative, were

Davis                      Gwinup

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Tallmadge, from the special committee to which was referred Senate bill No. 406, entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," reported in favor of the passage of the same with the following amendments:

Strike out from section 1, line 4. the words "already levied." Add at the end of section 2 the following:

"The registrar of arrears and the comptroller of said city shall cancel and discharge on the records and books in their offices all taxes and assessments which were levied and confirmed more than twenty years prior to the passage of this act upon or affecting any lands which have not been sold for the payment of such taxes or assessments."

Strike out section 5, and change section 6 to section 5.

Said bill was ordered replaced on the calendar of third reading of bills.

The Senate returned Assembly bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations," with a message that they have concurred in the passage of the same, with the following amendments:

Engrossed bill, section 3, line 14, strike out the words "one-half" and insert the words "one-quarter;" line 19, strike out the word "three" and insert the words "one and one-half;" line 31, strike out the words "one-half" and insert the words "one-quarter;" line 36, strike out the word "three" and insert the words "one and one-half."

Section 4. Strike out all of section after the word "year" in line 9.

Section 6, line 4, after the word "every" strike out the words "street passenger railway company or;" line 15, after the word "line" strike out the words "or street passenger railway;" line 26, strike out the words "eight-tenths" and insert the words "five-tenths," and at end of section 6 add as follows: "transacted in this State, and in arriving at the gross earnings of any express, palace car or sleeping car company, or freight line, there shall be first deducted the expenses paid to any common carrier for transportation upon such business within this State. Nothing in this section contained shall be held to apply to any street surface railroad company."

Strike out all of section 7; make section 8 section 7, and amend the same in line 1; strike out the word "is," and make the word "sections" read "section;" line 2, strike out the words "and seven."

Make section 9 section 8, and in line 4, after the word "the" insert "capital stock and," and add at end of section: "And no license fees or percentage on gross receipts, except as in this statute authorized, shall be imposed or charged against any street horse railroad company."

Make section 10 section 9, and section 11 section 10.

Mr. Varnum moved to lay the bill upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Seeley
Andrews	Cookinham	Husted	Sherman
Baker, B. F.	Curtis	Kennedy	Sipp
Beach	Davis	Lefever	Sisson
Beates	Deane	Liddle	Slingerland
Benedict, T. E.	Douglass	Low	Steele
Bradley	Evans	McCarthy	Tallmadge
Brennan	Ferris	Mead	Terry
Bridges	Fish	Miller	Titus
Brodsky	Fiske	Mooers	Tozier
Bullock	Gorsline	Nowlan	Travis
Carpenter, I. S.	Gray	O'Connor	Treanor
Case	Grosse	Parker	Tuthill, H. H.
Chase	Gwinup	Phillips	Wells, D. A.

Childs	Hagan	Potts	Wells, J. L.
Clark	Hayes	Rhodes	Weston
Clowes	Hoffman	Root	Wren
Comstock	Howland	Sanders	Youngs

Those who voted in the negative, were

Clancy	Mitchell	Shanley	Walsh
McAvoy	Newman	Varnum	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted offered for the consideration of the House a privileged resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bills Nos. 107, 376, 436 and 509, entitled, respectively, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game;'" "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879;'" "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game, passed June 20, 1879;'" "An act to prevent fishing with nets in a part of the waters of Lake Ontario," for amendment and consolidation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The hour of 2 having arrived, the House took a recess until 4 P. M.

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#### FOUR O'CLOCK, P. M.

The House again met.

Privileges of the floor were granted to Hon. Charles Crary, former member of this House.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State."

"An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company to any indebtedness against said city."

"An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan."

"An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff."

"An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county."

"An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act

to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors.’”

“An act to amend chapter 78 of the Laws of 1870, entitled ‘An act to amend an act entitled ‘An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847.’”

“An act providing for the appointment of an additional number of commissioners of deeds in the city of New York.”

“An act to amend chapter 519 of the Laws of 1870, entitled ‘An act to revise the charter of the city of Buffalo.’”

“An act to amend chapter 461 of the Laws of 1869, entitled ‘An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York.’”

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

Alvord	Crapser	Hoffman	Russell
Beates	Cullinan	Howland	Sanders
Benedict, E. D.	Curtis	Hurd	Sherman
Benedict, T. E.	Deane	Ingersoll	Shuit
Bennett	Douglass	Lefever	Sisson
Bradley	Duell	Liddle	Slingerland
Brodsky	Ellis	Low	Strait
Bullock	Evans	McAvoy	Tallmadge
Carpenter, E. A.	Ferris	McDonald	Thilemann
Case	Fish	McTernan	Travis
Catlin	Fiske	Newman	Tuthill, H. H.
Chickering	Gorsline	Peck	Varnum
Childs	Gray	Phillips	Waterbury
Clanoy	Grosse	Pitcher	Wells, J. L.
Cohen	Gwinup	Potts	Weston
Comstock	Hagan	Roberts	Mr. Speaker
Congdon	Havens	Root	

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A quorum being present.

Privileges of the floor were granted to Hon. Obed Wheeler, Hon. Stephen Patrick, and Charles Blakie.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled “An act in relation to unpaid taxes and assessments in the city of Brooklyn,” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Sanders
Baker, B. F.	Cullinan	Hurd	Seeley
Baker, C. S.	Curtis	Kennedy	Shanley
Beach	Davis	Lefever	Sheridan
Beates	Deane	Liddle	Sherman
Benedict, E. D.	Douglass	Low	Shuit
Benedict, T. E.	Duell	McAvoy	Sisson
Bennett	Duguid	McCabe	Slingerland
Brodsky	Ellis	McDonald	Steele

Bullock	Evans	Mooers	Strait
Carpenter, I. S.	Ferris	Newman	Tallmadge
Case	Fish	Parker	Terry
Catlin	Fiske	Peck	Thilemann
Chickering	Fitzgerald	Phillips	Tormey
Childs	Gorsline	Pitcher	Tuthill, H. H.
Olowes	Gray	Potts	Varnum
Cohen	Grosse	Roberts	Waterbury
Comstock	Gwinup	Root	Wells, J. L.
Congdon	Hoffman	Russell	Weston

Those who voted in the negative, were

Clancy                      Havens

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Rochester Electro-Medical Institute," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Root
Andrews	Cookinham	Ingersoll	Russell
Baker, B. F.	Crapser	Kennedy	Sanders
Baker, C. S.	Cullinan	Lefever	Seeley
Beach	Curtis	Liddle	Shanley
Beates	Cushing	Low	Sherman
Benedict, T. E.	Davis	McAvoy	Shuit
Bradley	Douglass	McCarthy	Sipp
Brennan	Duell	McDonald	Sisson
Bridges	Duguid	Miller	Slingerland
Brodsky	Ellis	Mitchell	Steele
Bullock	Evans	Mooers	Strait
Carpenter, E. A.	Ferris	Morgan	Tallmadge
Carpenter, I. S.	Fish	Newman	Terry
Case	Fiske	O'Connor	Titus
Catlin	Fitzgerald	Parker	Tozier
Chase	Gorsline	Peck	Travis
Chickering	Gray	Phillips	Tuthill, H. H.
Childs	Griggs	Pitcher	Warner
Clancy	Grosse	Potts	Waterbury
Clark	Gwinup	Rhodes	Wells, J. L.
Cohen	Hoffman	Roberts	Weston
Comstock	Howland		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Roberts
Andrews	Crapser	Hurd	Root
Baker, B. F.	Cullinan	Ingersoll	Russell
Baker, C. S.	Curtis	Kennedy	Sanders
Beach	Davis	Lefever	Seeley
Beates	Deane	Liddle	Shanley
Benedict, E. D.	Douglass	Low	Sherman
Benedict, T. E.	Duell	McAvoy	Shuit
Bradley	Duguid	McCabe	Sipp
Brennan	Ellis	McCarthy	Sisson
Brodsky	Evans	McDonald	Slingerland
Bullock	Ferris	Miller	Steele
Carpenter, E. A.	Fish	Mooers	Tallmadge
Carpenter, I. S.	Fiske	Newman	Terry
Case	Fitzgerald	Nowlan	Titus
Catlin	Gibbs	O'Connor	Tozier
Childs	Gorsline	Parker	Travis
Clancy	Gray	Peck	Tuthill, H. H.
Clark	Griggs	Phillips	Warner
Clowes	Grosse	Pitcher	Waterbury
Cohen	Gwinup	Potts	Wells, J. L.
Comstock	Havens	Rhodes	Weston
Congdon	Hoffman		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hoffman	Russell
Andrews	Cookinham	Howland	Sanders
Baker, B. F.	Crapser	Hurd	Seeley
Baker, C. S.	Cullinan	Ingersoll	Shanley
Beach	Curtis	Kennedy	Sheridan
Beates	Davis	Lefever	Sherman
Benedict, E. D.	Deane	Liddle	Shuit
Benedict, T. E.	Dougherty	Low	Sipp
Bennett	Douglass	McAvoy	Sisson
Bradley	Duell	McCabe	Slingerland
Brennan	Duguid	McCarthy	Steele
Bridges	Ellis	McDonald	Strait
Brodsky	Evans	Miller	Tallmadge
Bullock	Ferris	Mooers	Terry

Carpenter, E. A.	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	O'Connor	Tozier
Oase	Fitzgerald	Parker	Travis
Catlin	Gibbs	Peck	Varnum
Chamberlain	Gorsline	Phillips	Warner
Chase	Gray	Potts	Waterbury
Clark	Grosse	Rhodes	Wells, J. L.
Clowes	Gwinup	Roberts	Weston
Cohen	Havens	Root	Wren
Comstock	Hayes		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Russell
Andrews	Crapser	Hurd	Sanders
Baker, B. F.	Cullinan	Ingersoll	Seeley
Baker, C. S.	Curtis	Kennedy	Shanley
Beach	Cushing	Lefever	Sheridan
Beates	Davis	Liddle	Sherman
Benedict, E. D.	Deane	Lindsay.	Shuit
Benedict, T. E.	Dougherty	Low	Sipp
Bennett	Douglass	McAvoy	Sisson
Bradley	Duell	McCabe	Slingerland
Brennan	Duguid	McCarthy	Steele
Bridges	Ellis	McDonald	Strait
Brodsky	Evans	Mitchell	Tallmadge
Bullock	Ferris	Mooers	Terry
Carpenter, E. A.	Fish	Morgan	Titus
Carpenter, I. S.	Fiske	Nowlan	Tozier
Oase	Fitzgerald	O'Connor	Travis
Catlin	Gibbs	Parker	Tuthill, H. H.
Chase	Gorsline	Peck	Varnum
Chickering	Gray	Phillips	Warner
Childs	Grosse	Pitcher	Waterbury
Clark	Gwinup	Potts	Wells, J. L.
Clowes	Havens	Rhodes	Weston
Comstock	Hayes	Roberts	Wren
Congdon	Hoffman	Root	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the



final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Russell
Andrews	Cullinan	Hurd	Sanders
Baker, B. F.	Curtis	Ingersoll	Seeley
Baker, C. S.	Cushing	Kennedy	Shanley
Beach	Davis	Lefever	Sheridan
Beates	Deane	Liddle	Sherman
Benedict, E. D.	Douglass	Lindsay	Shuit
Benedict, T. E.	Duell	Low	Sipp
Bennett	Duguid	McAvoy	Sisson
Bradley	Ellis	McCabe.	Slingerland
Brennan	Evans	McCarthy	Steele
Bridges	Ferris	Mitchell	Strait
Brodsky	Fish	Mooers	Tallmadge
Bullock	Fiske	Newman	Terry
Carpenter, I. S.	Fitzgerald	Nowlan	Thilemann
Case	Gibbs	O'Connor	Titus
Catlin	Gillette	Peck	Tormey
Chamberlain	Gorsline	Phillips	Tozier
Clowes	Gray	Pitcher	Travis
Cohen	Grosse	Potter	Tuthill, H. H.
Comstock	Gwinup	Potts	Waterbury
Congdon	Havens	Rhodes	Wells, J. L.
Cookinham	Hayes	Roberts	Weston
Costello	Hoffman	Root	

Those who voted in the negative, were

Carpenter, E. A. McDonald

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 5 }

Those who voted in the affirmative, were

Andrews	Cookinham	Griggs	Peck
Baker, B. F.	Costello	Grosse	Phillips
Baker, C. S.	Crapser	Gwinup	Potts
Beach	Cullinan	Hayes	Root
Beates	Curtis	Hoffman	Russell
Benedict, T. E.	Davis	Howland	Sanders
Bennett	Deane	Hurd	Seeley
Brennan	Dougherty	Husted	Sherman
Brodsky	Douglass	Ingersoll	Shuit
Bullock	Duell	Kennedy	Sipp

Carpenter, E. A.	Duguid	Lefever	Sisson
Carpenter, I. S.	Ellis	Liddle	Slingerland
Case	Evans	Low	Strait
Catlin	Ferris	McAvoy	Tallmadge
Chamberlain	Fish	McCabe	Titus
Childs	Fiske	McCarthy	Tozier
Chickering	Fitzgerald	McDonald	Travis
Clancy	Gibbs	Mitchell	Varnum
Clowes	Gillette	Mooers	Waterbury
Cohen	Gorsline	Nowlan	Weston
Comstock	Gray	Parker	Wren
Congdon			

Those who voted in the negative, were

Newman	Shanley	Sheridan	Tully
Rhodes			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. E. A. Carpenter moved to take from the table the motion to reconsider the vote by which the Senate bill entitled "An act to further amend chapter 908 of the Laws of 1877, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879,'" was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sisson
Baker, B. F.	Cushing	Liddle	Slingerland
Baker, C. S.	Davis	Low	Terpeny
Beach	Deane	McAvoy	Terry
Bradley	Duguid	McCabe	Thilemann
Brennan	Evans	McCarthy	Titus
Brodsky	Ferris	McDonald	Tozier
Carpenter, E. A.	Fish	Mooers	Travis
Carpenter, I. S.	Fiske	O'Connor	Treanor
Case	Fitzgerald	Phillips	Tully
Chase	Gibbs	Potts	Tuthill, H. H.
Chickering	Gillette	Roberts	Varnum
Childs	Gorsline	Root	Warner
Clowes	Gray	Russell	Waterbury
Comstock	Griggs	Seeley	Wells, J. L.
Crapser	Ingersoll	Sherman	Weston
Cullinan	Kennedy	Shuit	

Those who voted in the negative, were

Cohen	Havens	Newman	Shanley
Costello	Hoffman	Parker	Sheridan
Dougherty	Mitchell	Rhodes	Walsh
Grosse			

Mr. E. A. Carpenter moved to recommit said bill to the committee on affairs of cities, with instruction to amend the same as follows:

Section 1, insert after the word "lots" the words "by a permit from the board of health," and report the same forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, reported back said bill, amended pursuant to instruction.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present. :

{ AYES 68 }  
{ NOES 15 }

Those who voted in the affirmative, were

Alvord	Curtis	McCarthy	Shuit
Andrews	Cushing	McDonald	Slingerland
Baker, B. F.	Davis	Mooers	Terpeny
Beach	Douglass	Nowlan	Terry
Benedict, E. D.	Evans	O'Connor	Thilemann
Bennett	Fitzgerald	Peck	Titus
Brennan	Gillette	Phillips	Tormey
Brotsky	Gorsline	Pitcher	Tozier
Bullock	Gray	Potter	Travis
Carpenter, E. A.	Husted	Potts	Treanor
Carpenter, I. S.	Ingersoll	Roberts	Tuthill, H. H.
Case	Kennedy	Root	Varnum
Chamberlain	Lefever	Russell	Waterbury
Chickering	Liddle	Sanders	Wells, J. L.
Clowes	Lindsay	Seeley	Weston
Comstock	Low	Sheridan	Wren
Crapser	McCabe	Sherman	Mr. Speaker

Those who voted in the negative, were

Clancy	Ferris	Hoffman	Shanley
Cohen	Grosse	Mitchell	Tully
Costello	Gwinup	Parker	Walsh
Deane	Havens	Rhodes	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Mitchell moved to reconsider the vote concurring in the amendments of the Senate to the Assembly bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies, and associations."

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Sheridan
Baker, C. S.	Cushing	Ingersoll	Sipp
Beach	Davis	Kennedy	Steele
Beates	Deane	Lefever	Strait
Benedict, E. D.	Douglass	Liddle	Terpeny
Benedict, T. E.	Duell	Low	Terry
Bennett	Duguid	McCabe	Titus
Bradley	Ellis	McCarthy	Tormey
Brennan	Evans	Mitchell	Tozier
Brodsky	Ferris	Mooers	Travis
Bullock	Fish	Nowlan	Tully
Carpenter, E. A.	Fiske	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Peck	Van Valkenburgh
Case	Gibbs	Phillips	Varnum
Chickering	Gorsline	Pitcher	Walsh
Cohen	Gray	Potter	Warner
Congdon	Grosse	Potts	Waterbury
Costello	Hayes	Root	Wells, D. A.
Crapser	Hoffman	Russell	Wells, J. L.
Cullinan	Howland	Seeley	Wren

Those who voted in the negative, were

Clancy                      Hagan

Mr. Steele moved to concur in said amendments, with the further amendment striking out in section 8, as renumbered, the words "license fees or percentage," and inserting in lieu thereof the word "tax."

Mr. Speaker put the question whether the House would concur in said amendments, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Sanders
Andrews	Cushing	Husted	Seeley
Baker, B. F.	Davis	Ingersoll	Sherman
Baker, C. S.	Deane	Kennedy	Shuit
Beach	Douglass	Lefever	Sipp
Beates	Duell	Liddle	Sisson
Benedict, T. E.	Duguid	Lindsay	Slingerland
Bradley	Ellis	Low	Steele
Brennan	Evans	McCabe	Strait
Bridges	Ferris	McCarthy	Tallmadge
Brodsky	Fish	McDonald	Terry
Bullock	Fiske	Mitchell	Titus
Carpenter, E. A.	Fitzgerald	Mooers	Tozier
Carpenter, I. S.	Gibbs	Newman	Travis
Case	Gillette	Nowlan	Treanor
Chase	Gorsline	Parker	Tully
Chickering	Gray	Peck	Tuthill, H. H.
Childs	Griggs	Phillips	Waterbury
Clowes	Grosse	Pitcher	Wells, D. A.
Comstock	Gwinup	Potter	Wells, J. L.

Congdon  
Crapser  
Cullinan

Hayes  
Hoffman  
Howland

Potts  
Root  
Russell

Weston  
Wren

Those who voted in the negative, were

Cohen

Hagan

• *Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments, and have made amendments thereto.

The Senate returned Assembly bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, line 5, of engrossed bill, strike out the word "number" and insert "numbers."

Section 3, line 10, after the word "building" insert "not."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Benedict, T. E.  
Bennett  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Chase  
Chickering  
Childs  
Clark  
Clowes  
Cohen  
Comstock  
Congdon

Cookinham  
Costello  
Crapser  
Cullinan  
Curtis  
Davis  
Deane  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris  
Fish  
Fiske  
Fitzgerald  
Gibbs  
Gillette  
Gorsline  
Gray  
Grosse  
Gwinup  
Hayes  
Hoffman  
Howland

Hurd  
Husted  
Ingersoll  
Kennedy  
Lefever  
Lindsay  
Low  
McAvoy  
McCabe  
McCarthy  
McDonald  
Mooers  
Nowlan  
Parker  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders

Seeley  
Sheridan  
Sherman  
Shuit  
Sipp  
Sisson  
Slingerland  
Steele  
Strait  
Tallmadge  
Terry  
Thilemann  
Titus  
Tozier  
Travis  
Treanor  
Tully  
Van Valkenburgh  
Warner  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to re-enact chapter 625 of the Laws of

1875," with a message that they have concurred in the passage of the same, with the following amendments:

Amend the title by striking out the word "revive," in the 16th line of engrossed bill, and insert "re-enact."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Comstock	Griggs	Potts
Andrews	Congdon	Gwinup	Roberts
Baker, B. F.	Cookinham	Hoffman	Sanders
Baker, C. S.	Costello	Howland	Seeley
Beach	Crapser	Hurd	Sheridan
Beates	Cullinan	Husted	Sherman
Bradley	Curtis	Ingersoll	Shuit
Brennan	Davis	Kennedy	Sipp
Bridges	Douglass	Lefever	Slingerland
Brodsky	Duell	Liddle	Steele
Bullock	Duguid	Lindsay	Terry
Carpenter, E. A.	Ellis	Low	Titus
Carpenter, I. S.	Evans	McAvoy	Tozier
Case	Ferris	Nowlan	Travis
Chase	Fish	Parker	Waterbury
Chickering	Fiske	Peck	Wells, D. A.
Childs	Gillette	Phillips	Weston
Clark	Gorsline	Pitcher	Wren
Clowes	Gray	Potter	Youngs

Those who voted in the negative, were

Cushing	Rhodes	Walsh
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*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 9 and 10, engrossed bill, strike out "and vested in."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Husted	Sanders
Andrews	Crapser	Ingersoll	Seeley
Baker, B. F.	Cullinan	Kennedy	Sheridan
Baker, C. S.	Curtis	Lefever	Sherman
Beach	Cushing	Liddle	Shuit
Beates	Davis	Lindsay	Sipp
Benedict, E. D.	Deane	Low	Sisson

Benedict, T. E.	Dougherty	McAvoy	Slingerland
Bennett	Douglass	McCabe	Steele
Bradley	Duell	McCarthy	Strait
Brennan	Duguid	McDonald	Tallmadge
Bridges	Ellis	Mitchell	Terry
Brodsky	Evans	Mooers	Thilemann
Bullock	Ferris	Newman	Titus
Carpenter, E. A.	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	O'Connor	Travis
Case	Fitzgerald	Parker	Treanor
Chamberlain	Gillette	Peck	Tully
Chase	Gorsline	Phillips	Tuthill, H. H.
Chickering	Gray	Pitcher	Warner
Childs	Griggs	Potter	Waterbury
Clark	Gwinup	Potts	Wells, D. A.
Clowes	Hayes	Rhodes	Wells, J. L.
Comstock	Hoffman	Roberts	Weston
Congdon	Howland	Root	Wren
Cookinham	Hurd	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May* 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Birdsall, and by unanimous consent, the same was amended as follows:

Section 7, line 2, engrossed bill, after the word "title" insert the following: "as amended by chapter 574 of the Laws of 1875."

And as amended passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 94 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sanders
Andrews	Crapser	Husted	Seeley
Baker, B. F.	Cullinan	Ingersoll	Sheridan
Baker, C. S.	Curtis	Kennedy	Sherman
Beach	Cushing	Lefever	Shuit
Beates	Davis	Liddle	Sipp
Benedict, T. E.	Deane	Low	Sisson
Bennett	Dougherty	McDonald	Slingerland
Bradley	Douglass	Mitchell	Steele
Brennan	Duell	Mooers	Strait
Bridges	Duguid	Newman	Tallmadge



Brodsky	Ellis	Nowlan	Terry
Bullock	Evans	O'Connor	Thilemann
Carpenter, E. A.	Ferris	Parker	Titus
Carpenter, I. S.	Fish	Peck	Tozier
Case	Fiske	Phillips	Travis
Catlin	Gillette	Pitcher	Tully
Chase	Gorsline	Potter	Tuthill, H. H.
Chickering	Gray	Potts	Waterbury
Childs	Griggs	Rhodes	Wells, D. A.
Clark	Gwinup	Roberts	Wells, J. L.
Clowes	Hayes	Root	Weston
Comstock	Hoffman	Russell	Wren
Congdon	Howland		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Hayes	Rhodes
Andrews	Cookinham	Hoffman	Roberts
Baker, B. F.	Costello	Howland	Root
Baker, C. S.	Crapser	Hurd	Russell
Beach	Cullinan	Husted	Seeley
Beates	Curtis	Ingersoll	Sherman
Benedict, E. D.	Cushing	Kennedy	Shuit
Benedict, T. E.	Davis	Lefever	Sipp
Bennett	Deane	Liddle	Sisson
Bradley	Dougherty	Low	Slingerland
Brennan	Douglass	McCarthy	Steele
Bridges	Duell	McDonald	Tallmadge
Brodsky	Ferris	Mitchell	Terpeny
Bullock	Fish	Mooers	Terry
Carpenter, E. A.	Fiske	Newman	Titus
Carpenter, I. S.	Fitzgerald	Nowlan	Tozier
Catlin	Gibbs	O'Connor	Travis
Chase	Gillette	Parker	Tully
Chickering	Gorsline	Peck	Tuthill, H. H.
Childs	Gray	Phillips	Waterbury
Clark	Griggs	Pitcher	Wells, D. A.
Clowes	Grosse	Potter	Weston
Comstock	Gwinup	Potts	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, *May 13, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath in the county of Steuben.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Davenport, and by unanimous consent, the same was amended as follows :

Section 2, line 1, after the word "act" insert "as amended by chapter 81 of the Law of 1852, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath in the county of Steuben, passed June 25, 1851, is hereby further.'"

Amend section 3 by striking out the word "act," line 1, and inserting "chapter 264 of the Laws of 1871."

Amend title by adding at the end thereof the following: "and chapter 81 of the Laws of 1852, and repealing chapter 246 of the Laws of 1867, and section 2 of chapter 291 of the Laws of 1860, and section 2 of chapter 102 of the Laws of 1875, and chapter 390 of the Laws of 1878."

And as amended passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sheridan
Andrews	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Cushing	Liddle	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McAvoy	Slingerland
Bennett	Dougherty	McCarthy	Steele
Bradley	Douglass	McDonald	Tallmadge
Brennan	Duell	Mitchell	Terpeny
Bridges	Duguid	Mooers	Terry
Brodsky	Fish	Nowlan	Thilemann
Bullock	Fiske	O'Connor	Titus
Carpenter, E. A.	Fitzgerald	Phillips	Tozier
Carpenter, I. S.	Gibbs	Pitcher	Travis
Case	Gillette	Potter	Tully
Chickering	Gorsline	Potts	Tuthill, H. H.
Childs	Gray	Rhodes	Van Valkenburgh
Clark	Gwinup	Roberts	Varnum
Clowes	Hayes	Root	Waterbury
Cohen	Hoffman	Russell	Wells, D. A.
Congdon	Howland	Sanders	Wells, J. L.
Cookinham	Hurd	Seeley	Weston
Costello	Husted	Shanley	Wren

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Sheridan
Andrews	Cullinan	Hurd	Sherman
Baker, B. F.	Curtis	Husted	Shuit
Baker, C. S.	Cushing	Ingersoll	Sipp

Beach	Davis	Kennedy	Sisson
Beates	Deane	Lefever	Slingerland
Bennett	Dougherty	Liddle	Steele
Bradley	Douglass	Low	Strait
Brennan	Duell	McAvoy	Tallmadge
Bridges	Duguid	Mitchell	Terpeny
Brodsky	Ellis	Mooers	Terry
Bullock	Evans	Newman	Thilemann
Carpenter, E. A.	Ferris	Nowlan	Titus
Carpenter, I. S.	Fish	O'Connor	Tozier
Case	Fitzgerald	Peck	Travis
Catlin	Gibbs	Phillips	Tully
Chickering	Gillette	Potter	Tuthill, H. H.
Childs	Gorsline	Potts	Varnum
Clark	Gray	Rhodes	Warner
Clowes	Griggs	Roberts	Waterbury
Cohen	Gwinup	Root	Wells, D. A.
Congdon	Havens	Russell	Wells, J. L.
Cookinham	Hayes	Sanders	Weston
Costello	Hoffman	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 19, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Shanley
Andrews	Cullinan	Kennedy	Sheridan
Baker, B. F.	Curtis	Lefever	Sherman
Baker, C. S.	Cushing	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McDonald	Sisson
Benedict, E. D.	Dougherty	Mitchell	Slingerland
Benedict, T. E.	Douglass	Mooers	Steele
Bennett	Duell	Newman	Strait
Bradley	Duguid	Nowlan	Tallmadge
Brennan	Evans	O'Connor	Terpeny
Bridges	Fish	Parker	Terry
Brodsky	Gibbs	Peck	Thilemann
Bullock	Gillette	Phillips	Titus
Carpenter, E. A.	Gorsline	Pitcher	Tozier

Carpenter, I. S.	Gray	Potter	Travis
Case	Griggs	Potts	Treanor
Chickering	Grosse	Rhodes	Tully
Childs	Hagan	Roberts	Tuthill, H. H.
Clark	Hayes	Root	Waterbury
Clowes	Hoffman	Russell	Wells, D. A.
Cohen	Howland	Sanders	Wells, J. L.
Congdon	Hurd	Seeley	Weston
Cookinham	Husted		

On motion of Mr. D. A. Wells, and by unanimous consent, said bill was amended in words following :

Strike out all of section 2, make section 3 read section 2.

Amend the title by striking out all after the word "Fulton."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Cushing	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	McAvoy	Sipp
Beach	Dougherty	McCabe	Sisson
Beates	Douglass	McCarthy	Slingerland
Benedict, E. D.	Duell	McDonald	Steele
Bennett	Duguid	Mitchell	Strait
Bradley	Evans	Mooers	Tallmadge
Bridges	Ferris	Newman	Terry
Brodsky	Fish	Nowlan	Thilemann
Bullock	Fitzgerald	O'Connor	Titus
Carpenter, E. A.	Gibbs	Parker	Tozier
Carpenter, I. S.	Gillette	Peck	Travis
Case	Gorsline	Phillips	Tully
Catlin	Gray	Pitcher	Tuthill, H. H.
Chickering	Griggs	Potter	Walsh
Childs	Grosse	Potts	Warner
Clark	Hayes	Rhodes	Waterbury
Clowes	Hoffman	Roberts	Wells, D. A.
Congdon	Howland	Root	Wells, J. L.
Cookinham	Hurd	Russell	Weston
Crapser	Husted	Sanders	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Gray offered for the consideration of the House a resolution in the words following :

*Resolved*, That all orders of business be laid on the table for the purpose of considering in committee of the whole Senate bill No. 325, entitled "An act to regulate the dimensions and measurement of apple barrels."

Mr. Speaker put the question whether the House would agree to said

resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

{ AYES 63 }  
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Cushing	Morgan	Tallmadge
Andrews	Davis	Newman	Terpeny
Baker, B. F.	Deane	Nowlan	Terry
Benedict, E. D.	Douglass	O'Connor	Thilemann
Benedict, T. E.	Ellis	Parker	Tormey
Brennan	Fish	Peck	Tully
Brotsky	Fitzgerald	Pitcher	Tuthill, H. H.
Carpenter, E. A.	Gibbs	Rhodes	Van Valkenburgh
Catlin	Gorsline	Roberts	Varnum
Chickering	Gray	Russell	Walsh
Clancy	Grosse	Sanders	Waterbury
Clark	Lindsay	Shanley	Wells, D. A.
Clowes	McAvoy	Sheridan	Wells, J. L.
Crapser	McCarthy	Shuit	Weston
Cullinan	McDonald	Sipp	Wren
Curtis	Mitchell	Steele	

Those who voted in the negative, were

Beach	Childs	Hoffman	Root
Bradley	Congdon	Kennedy	Sherman
Bridges	Ferris	Low	Sisson
Bullock	Gillette	Phillips	Tozier
Carpenter, I. S.	Gwinup	Potts	Travis
Case	Havens		

The House then resolved itself into a committee of the whole on the bill entitled as follows :

Senate, "An act to regulate the dimensions and measurement of apple barrels."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brodsky, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Cookinham moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 60 }  
{ NOES 35 }

Those who voted in the affirmative, were

Andrews	Deane	McDonald	Sipp
Baker, C. S.	Douglass	McTernan	Tallmadge
Benedict, E. D.	Ellis	Miller	Terpeny
Benedict, T. E.	Fiske	Mitchell	Thilemann
Bennett	Fitzgerald	Morgan	Tormey
Brennan	Gibbs	Newman	Tully
Brotsky	Gorsline	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Gray	O'Connor	Van Valkenburgh
Catlin	Grosse	Peck	Varnum
Chickering	Hagan	Pitcher	Walsh
Clancy	Hayes	Rhodes	Waterbury

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Clowes	Howland	Russell	Wells, J. L.
Cookinham	Lindsay	Sanders	Weston
Crapser	McAvoy	Shanley	Wren
Cullinan	McCarthy	Shuit	Youngs

Those who voted in the negative, were

Alvord	Congdon	Gwinup	Potts
Baker, B. F.	Curtis	Havens	Roberts
Beach	Cushing	Hoffman	Root
Bradley	Davis	Hurd	Sherman
Bridges	Duguid	Kennedy	Sisson
Bullock	Ferris	Lefever	Slingerland
Carpenter, L. S.	Fish	Low	Tozier
Case	Gillette	Parker	Travis
Clark	Griggs	Phillips	

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 19, 1880.* }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 358, entitled "An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections,'" is herewith returned for amendment.

**ALONZO B. CORNELL.**

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ **AYES 85** }  
{ **NOES 00** }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Sanders
Andrews	Deane	Lindsay}	Seeley
Baker, B. F.	Dougherty	McAvoy	Shanley
Baker, C. S.	Douglass	McCabe	Sheridan
Beach	Duguid	McCarthy	Sherman
Benedict, E. D.	Ferris	McDonald	Shuit
Bennett	Fish	Miller	Sipp
Bridges	Fiske	Mitchell	Slingerland
Brodsky	Gorsline	Mooers	Steele
Bullock	Gray	Morgan	Tallmadge
Carpenter, E. A.	Grosse	Newman	Terpeny
Carpenter, L. S.	Hagan	Nowlan	Titus
Catlin	Havens	Peck	Tozier
Chamberlain	Hayes	Phillips	Travis
Chickering	Hoffman	Pitcher	Tully
Childs	Howland	Potter	Waterbury
Olancy	Hurd	Potts	Wells, D. A.
Cookinham	Husted	Rhodes	Wells, J. L.
Crapser	Ingersoll	Roberts	Weston
Cullinan	Kennedy	Root	Wren
Curtis	Lefever	Russell	Youngs
Cushing			

On motion of Mr. Hoffman, and by unanimous consent, said bill was amended in words following:

Section 1, line 6, after the words "sixty-six" insert "and"; same line, after the words "sixty-seven," strike out "and sixty-eight."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Russell
Andrews	Curtis	Lefever	Sanders
Baker, B. F.	Davis	Liddle	Shanley
Baker, C. S.	Deane	Lindsay	Sheridan
Beach	Dougherty	Low	Sherman
Benedict, T. E.	Douglass	McAvoy	Shuit
Bennett	Duguid	McCabe	Sipp
Bradley	Evans	McCarthy	Sisson
Bridges	Ferris	McDonald	Steele
Brodsky	Fish	Miller	Tallmadge
Bullock	Fitzgerald	Mitchell	Terpeny
Carpenter, E. A.	Gibbs	Mooers	Titus
Carpenter, I. S.	Gorsline	Morgan	Tozier
Case	Gray	Nowlan	Travis
Catlin	Gwinup	Parker	Tully
Chickering	Hagan	Peck	Varnum
Childs	Hayes	Phillips	Waterbury
Clancy	Hoffman	Pitcher	Wells, D. A.
Clark	Howland	Potter	Wells, J. L.
Clowes	Hurd	Potts	Weston
Comstock	Husted	Rhodes	Wren
Congdon	Ingersoll	Roberts	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 19, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Russell
Andrews	Davis	Liddle	Sanders
Baker, B. F.	Deane	Lindsay	Shanley
Baker, C. S.	Dougherty	Low	Sheridan
Beach	Douglass	McAvoy	Shuit
Benedict, T. E.	Duguid	McCabe	Sipp
Bradley	Evans	McDonald	Sisson
Bridges	Ferris	Miller	Slingerland
Brodsky	Fish	Mitchell	Steele
Bullock	Fiske	Mooers	Tallmadge
Carpenter, E. A.	Gillette	Nowlan	Terry
Carpenter, I. S.	Gorsline	O'Connor	Titus
Case	Gray	Parker	Tozier
Chase	Griggs	Peck	Travis
Chickering	Gwinup	Phillips	Tully
Childs	Havens	Pitcher	Tuthill, H. H.
Clancy	Hayes	Potter	Waterbury
Clark	Hoffman	Potts	Wells, D. A.
Clowes	Howland	Rhodes	Wells, J. L.
Congdon	Hurd	Roberts	Weston
Cookinham	Husted	Root	Youngs
Cullinan	Kennedy		

On motion of Mr. Evans, and by unanimous consent, said bill was amended in words following:

Line 15, section 10, at end of section, add "nor to union school district No. 2, in the town of Waterloo, in the county of Seneca."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Russell
Andrews	Cullinan	Ingersoll	Sanders
Baker, B. F.	Curtis	Kennedy	Seeley
Baker, C. S.	Davis	Lefever	Shanley
Beach	Deane	Liddle	Sheridan
Beates	Dougherty	Lindsay	Sherman
Benedict, E. D.	Douglass	Low	Shuit
Benedict, T. E.	Duell	McAvoy	Sipp
Bennett	Duguid	McCarthy	Sisson
Bradley	Ellis	McDonald	Slingerland
Bridges	Evans	Miller	Steele
Brodsky	Ferris	Mitchell	Strait
Bullock	Fish	Nowlan	Tallmadge
Carpenter, E. A.	Fiske	O'Connor	Titus
Carpenter, I. S.	Gillette	Parker	Tozier
Catlin	Gorsline	Peck	Travis
Chase	Gray	Phillips	Tully
Chickering	Griggs	Pitcher	Tuthill, H. H.
Childs	Gwinup	Potter	Waterbury

Clark	Hayes	Potts	Wells, D. A.
• Clowes	Hoffman	Rhodes	Wells, J. L.
Congdon	Howland	Roberts	Weston
Cookinham	Hurd	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 19, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Civil Procedure," is herewith returned for amendment."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Root
Andrews	Cushing	Liddle	Russell
Baker, B. F.	Davis	Lindsay	Sanders
Baker, O. S.	Deane	Low	Shanley
Beach	Dougherty	McAvoy	Sherman
Benedict, E. D.	Douglass	McCabe	Shuit
Benedict, T. E.	Duguid	McCarthy	Sipp
Bradley	Fish	McDonald	Sisson
Bridges	Fiske	Miller	Slingerland
Brotsky	Fitzgerald	Mitchell	Steele
Bullock	Gibbs	Mooers	Tallmadge
Carpenter, E. A.	Gorsline	Morgan	Terpeny
Carpenter, I. S.	Gray	Newman	Titus
Case	Griggs	Nowlan	Tozier
Catlin	Gwinup	Parker	Travis
Chickering	Hayes	Peck	Tully
Childs	Hoffman	Phillips	Tuthill, H. H.
Clanoy	Howland	Pitcher	Waterbury
Clark	Hurd	Potter	Wells, D. A.
Clowes	Husted	Potts	Wells, J. L.
Congdon	Ingersoll	Rhodes	Wren
Cookinham	Kennedy	Roberts	Youngs
Cullinan			

On motion of Mr. Mitchell, and by unanimous consent, said bill was amended in words following :

Subdivision 236, line 17, engrossed bill, after the word "court," strike out the words "in the branch to which he is assigned."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Root
Andrews	Davis	Liddle	Russell
Baker, B. F.	Deane	Lindsay	Seeley
Baker, C. S.	Dougherty	Low	Shanley
Beach	Douglass	McAvoy	Sheridan
Beates	Duguid	McCabe	Shuit
Benedict, E. D.	Ellis	McCarthy	Sipp
Bradley	Evans	McDonald	Sisson
Bridges	Ferris	Miller	Slingerland
Brodsky	Fish	Mitchell	Steele
Bullock	Fiske	Mooers	Tallmadge
Carpenter, E. A.	Gibbs	Newman	Terpeny
Carpenter, I. S.	Gorsline	Nowlan	Tozier
Case	Gray	O'Connor	Travis
Catlin	Griggs	Parker	Tully
Chase	Hagan	Peck	Tuthill, H. H.
Chickering	Hayes	Phillips	Waterbury
Clancy	Hoffman	Pitcher	Wells, D. A.
Clark	Howland	Potter	Wells, J. L.
Clowes	Hurd	Potts	Weston
Congdon	Husted	Rhodes	Wren
Cookinham	Ingersoll	Roberts	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 18, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 153, entitled "An act to declare Independence river and its tributaries, in Lewis and Herkimer counties, a public highway," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sanders
Andrews	Cullinan	Liddle	Seeley
Baker, B. F.	Curtis	Lindsay	Shanley
Baker, C. S.	Davis	McAvoy	Sherman
Beach	Deane	McCabe	Shuit
Beates	Dougherty	McCarthy	Sipp
Benedict, E. D.	Douglass	McDonald	Sisson
Bradley	Duguid	Miller	Slingerland
Bridges	Ellis	Mitchell	Steele
Brodsky	Ferris	Mooers	Tallmadge
Bullock	Fish	Nowlan	Terpeny

Carpenter, E. A.	Fiske	Parker	Tozier
Carpenter, I. S.	Gibbs	Peck	Travis
Case	Gorsline	Phillips	Tuthill, H. H.
Catlin	Gray	Pitcher	Waterbury
Chickering	Hayes	Potter	Wells, D. A.
Childs	Hoffman	Potts	Wells, J. L.
Clancy	Howland	Rhodes	Weston
Clark	Hurd	Roberts	Wren
Clowes	Husted	Root	Youngs
Congdon	Kennedy	Russell	

On motion of Mr. Chickering, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, strike out the word "highway" and insert the word "stream."

Section 8, line 5, strike out the word "reservo" and insert the word "serve."

Amend the title as follows: After the word "public" strike out the word "highway" and insert "stream."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Roberts
Andrews	Cookinham	Lefever	Root
Baker, B. F.	Cullinan	Liddle	Russell
Baker, C. S.	Davis	Lindsay	Sanders
Beach	Deane	Low	Sherman
Beates	Douglass	McAvoy	Shuit
Benedict, E. D.	Duguid	McCabe	Sipp
Bradley	Evans	McDonald	Slingerland
Bridges	Ferris	Miller	Steele
Brodsky	Fish	Mitchell	Tallmadge
Bullock	Fiske	Mooers	Terpeny
Carpenter, E. A.	Gibbs	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Case	Gray	Parker	Tully
Catlin	Griggs	Peck	Waterbury
Chamberlain	Hayes	Phillips	Wells, D. A.
Chickering	Hoffman	Pitcher	Wells, J. L.
Clancy	Howland	Potter	Weston
Clark	Hurd	Potts	Wren
Clowes	Husted	Rhodes	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 18, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 28, entitled "An act in relation to the partition of lands

held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Root
Andrews	Davis	Liddle	Russell
Baker, C. S.	Deane	Lindsay	Seeley
Beach	Douglass	McAvoy	Shanley
Beates	Duguid	McCabe	Sherman
Benedict, E. D.	Ellis	McCarthy	Sipp
Bradley	Evans	McDonald	Sisson
Bridges	Ferris	Miller	Slingerland
Brodsky	Fish	Mitchell	Steele
Bullock	Fiske	Morgan	Tallmadge
Carpenter, E. A.	Gibbs	Newman	Terpeny
Carpenter, I. S.	Gorsline	Nowlan	Tozier
Case	Gray	Parker	Travis
Catlin	Havens	Peck	Tuthill, H. H.
Chickering	Hayes	Phillips	Waterbury
Childs	Hoffman	Pitcher	Wells, D. A.
Clark	Howland	Potter	Wells, J. L.
Clowes	Hurd	Potts	Weston
Congdon	Husted	Rhodes	Wren
Cookinham	Ingersoll	Roberts	Youngs

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, strike out the words "or relinquish," and all of line 4 and down to and including the word "tenements" in line 5; in line 5 insert the word "or" between the words "partition" and "division," and strike out the word or "relinquishment;" in line 7 strike out the words "or relinquishment" and insert the word "or" between the words "partition" and "division;" in line 9 strike out the words "or relinquished," and insert the word "or" before the word "divided" in line 9.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Liddle	Sanders
Andrews	Curtis	Lindsay	Sheridan
Baker, C. S.	Davis	McAvoy	Sherman
Beach	Deane	McCabe	Sipp
Beates	Douglass	McCarthy	Slingerland
Benedict, E. D.	Duell	McDonald	Steele

Bradley	Ferris	Mitchell	Tallmadge
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Newman	Tozier
Bullock	Gibbs	Nowlan	Travis
Carpenter, E. A.	Gorsline	Parker	Tully
Carpenter, I. S.	Griggs	Peck	Tuthill, H. H.
Case	Gwinup	Phillips	Van Valkenburgh
Catlin	Hayes	Pitcher	Waterbury
Chamberlain	Howland	Potter	Wells, D. A.
Chickering	Hurd	Rhodes	Wells, J. L.
Childs	Husted	Roberts	Weston
Clark	Ingersoll	Root	Wren
Clowes	Lefever	Russell	Youngs

Those who voted in the negative, were

Ellis                      Potts

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 13*, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 496, entitled "An act to incorporate Alert Hose Company No. 3, of Medina, New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Lindsay	Russell
Andrews	Congdon	McAvoy	Seeley
Baker, C. S.	Davis	McCabe	Sheridan
Beach	Deane	McCarthy	Sherman
Beates	Douglass	McDonald	Shuit
Benedict, E. D.	Duguid	Miller	Sipp
Bennett	Ferris	Mitchell	Slingerland
Bradley	Fish	Morgan	Tallmadge
Bridges	Fiske	Newman	Terpeny
Brodsky	Gibbs	Nowlan	Tozier
Bullock	Gorsline	Parker	Travis
Carpenter, E. A.	Gray	Peck	Tully
Carpenter, I. S.	Griggs	Phillips	Tuthill, H. H.
Case	Havens	Pitcher	Waterbury
Catlin	Hayes	Potter	Wells, D. A.
Chase	Howland	Potts	Wells, J. L.
Chickering	Hurd	Rhodes	Weston
Childs	Husted	Roberts	Wren
Clancy	Lefever	Root	Youngs
Clark	Liddle		

On motion of Mr. Phillips, and by unanimous consent, said bill was amended in words following:

Add at end of section 1: "The members of said company shall be members of the fire department of the village of Medina, and said company shall be subject to the rules and regulations now or hereafter established by said fire department."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Seeley
Andrews	Deane	Low	Sheridan
Baker, C. S.	Douglass	McAvoy	Sherman
Beach	Duell	McCabe	Shuit
Beates	Ellis	McDonald	Sipp
Benedict, E. D.	Evans	McTernan	Sisson
Bennett	Ferris	Miller	Slingerland
Bradley	Fish	Mitchell	Steele
Bridges	Fiske	Morgan	Tallmadge
Brodsky	Gorsline	Newman	Terpeny
Bullock	Gray	Nowlan	Tozier
Carpenter, E. A.	Griggs	Parker	Travis
Carpenter, I. S.	Hagan	Peck	Tuthill, H. H.
Case	Havens	Phillips	Van Valkenburgh
Catlin	Hayes	Pitcher	Waterbury
Chamberlain	Howland	Potter	Wells, D. A.
Chickering	Hurd	Potts	Wells, J. L.
Clark	Husted	Rhodes	Weston
Clowes	Kennedy	Roberts	Wren
Congdon	Lefever	Root	Youngs
Cookinham	Liddle	Russell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 463), entitled "An act to incorporate the National Guard Mutual Relief Association of the State New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 689), entitled "An act to enlarge the powers of the Waterville Opera House Company (limited)," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Douglass, and by unanimous consent, said bill was ordered to a third reading.

Mr. Griggs moved to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof,'" was agreed to.



Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water and authorizing the issue of bonds therefor, and to create a board of water commissioners,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Russell
Andrews	Davis	Liddle	Seeley
Baker, C. S.	Deane	Lindsay	Sheridan
Beach	Dougherty	McAvoy	Shuit
Beates	Douglass	McCabe	Sipp
Benedict, E. D.	Duguid	McCarthy	Sisson
Benedict, T. E.	Ellis	McDonald	Slingerland
Bennett	Evans	Miller	Steele
Bradley	Ferris	Mitchell	Tallmadge
Bridges	Fish	Morgan	Terpeny
Brodsky	Fiske	Newman	Titus
Bullock	Gorsline	Nowlan	Tozier
Carpenter, E. A.	Gray	Parker	Travis
Carpenter, I. S.	Gwinup	Peck	Tuthill, H. H.
Oase	Havens	Phillips	Waterbury
Oatlin	Hayes	Pitcher	Wells, D. A.
Chamberlain	Hoffman	Potter	Wells, J. L.
Chickering	Howland	Potts	Weston
Clark	Hurd	Rhodes	Wren
Clowes	Husted	Roberts	Youngs
Congdon	Kennedy	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor for the return of Senate bill No. 389, entitled "An act establishing the compensation of the county clerks of Richmond and Franklin, in lieu of charges for all services rendered," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

By unanimous consent,

Mr. Pitcher introduced a bill entitled "An act to transfer the duties of the bonding commissioners of the city of Poughkeepsie, appointed by an order of the county court of the county of Dutchess, on the 30th day of July, 1870, to the common council of the city of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Pitcher, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sheridan
Andrews	Dougherty	Low	Sherman
Baker, B. F.	Douglass	McAvoy	Shuit
Baker, C. S.	Duell	McCabe	Sipp
Beach	Duguid	McCarthy	Sisson
Beates	Ellis	McDonald	Slingerland
Benedict, E. D.	Evans	Miller	Steele
Bennett	Ferris	Mitchell	Strait
Bradley	Fish	Mooers	Tallmadge
Brennan	Fiske	Morgan	Terpeny
Bridges	Gibbs	Newman	Terry
Brodsky	Gillette	Nowlan	Thilemann
Bullock	Gorsline	O'Connor	Titus
Carpenter, E. A.	Gray	Peck	Tozier
Carpenter, I. S.	Griggs	Phillips	Travis
Chickering	Gwinup	Pitcher	Tuthill, H. H.
Childs	Hayes	Potter	Van Valkenburgh
Clark	Hoffman	Potts	Varnum
Clowes	Howland	Rhodes	Warner
Congdon	Hurd	Roberts	Waterbury
Cookinham	Husted	Root	Wells, D. A.
Crapser	Ingersoll	Russell	Wells, J. L.
Cullinan	Kennedy	Sanders	Weston
Cushing	Lefever	Shanley	Wren
Davis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

Mr. Sharpe offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' " for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Potter (introductory No. 1211), entitled "An act in relation to the village of Saratoga Springs," reported in favor of the passage of the same with amendments.

On motion of Mr. Potter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Ingersoll	Sanders
Andrews	Davis	Kennedy	Seeley
Baker, B. F.	Deane	Lefever	Shanley
Baker, C. S.	Dougherty	Low	Sheridan
Beach	Douglass	McAvoy	Sherman
Beates	Duell	McCabe	Shuit
Benedict, T. E.	Duguid	McCarthy	Sipp
Bennett	Ellis	McDonald	Sisson
Bradley	Evans	Miller	Slingerland
Brennan	Ferris	Mitchell	Steele
Bridges	Fish	Mooers	Strait
Brodsky	Fiske	Morgan	Tallmadge
Bullock	Gibbs	Newman	Terpeny
Carpenter, E. A.	Gillette	Nowlan	Terry
Carpenter, I. S.	Gorsline	O'Connor	Tozier
Chickering	Gray	Parker	Travis
Clark	Griggs	Peck	Tuthill, H. H.
Clowes	Gwinup	Potter	Van Valkenburgh
Congdon	Hayes	Potts	Waterbury
Cookinham	Hoffman	Rhodes	Wells, D. A.
Costello	Howland	Roberts	Wells, J. L.
Orapser	Hurd	Root	Weston
Cullinan	Husted	Russell	Wren
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Howland offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 204, general orders No. 731, entitled "An act to incorporate the Syracuse Electric Light Company," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Low (introductory No. 1204), entitled "An act to amend chapter 373, Laws of 1876, entitled 'An act to provide for the formation of road districts in certain cases within the corporate jurisdiction of plank and turnpike roads companies, and for the maintenance and improvements of roads therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 335), entitled "An act in relation to plank roads and turnpike companies," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES' 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Hurd	Roberts
Andrews	Curtis	Husted	Root
Baker, B. F.	Davis	Ingersoll	Russell
Baker, C. S.	Deane	Kennedy	Seeley
Beach	Dougherty	Lefever	Sheridan
Beates	Douglass	Liddle	Sherman
Benedict, E. D.	Duell	Lindsay	Shuit
Benedict, T. E.	Duguid	Low	Sipp
Bennett	Evans	McAvoy	Sisson
Bradley	Ferris	McCabe	Slingerland
Brennan	Fish	McCarthy	Steele
Bridges	Fiske	McDonald	Strait
Brodsky	Fitzgerald	Miller	Tallmadge
Bullock	Gibbs	Mitchell	Terpeny
Carpenter, E. A.	Gillette	Morgan	Terry
Carpenter, I. S.	Gorsline	Newman	Titus
Case	Gray	Nowlan	Tozier
Chickering	Griggs	O'Connor	Travis
Clark	Gwinup	Peck	Waterbury
Clowes	Hayes	Potter	Wells, J. L.
Congdon	Hoffman	Potts	Weston
Cookinham	Howland	Rhodes	Wren
Crapser			

*Ordered.* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

*Resolved,* That the committee of the whole be discharged from the further consideration of Senate bill No. 182, general orders No. 734, "Providing that the superintendent of the poor, of Columbia county, may be the keeper of the county house," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Russell
Andrews	Curtis	Kennedy	Seeley

Baker, B. F.	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Sherman
Beach	Deane	Lindsay	Shuit
Beates	Dougherty	Low	Sipp
Benedict, E. D.	Douglass	McAvoy	Sisson
Bennett	Duell	McCabe	Slingerland
Bradley	Duguid	McCarthy	Steele
Brennan	Ellis	McDonald	Strait
Bridges	Evans	Miller	Tallmadge
Brodsky	Ferris	Morgan	Terpeny
Bullock	Fish	Newman	Terry
Carpenter, E. A.	Fitzgerald	Nowlan	Titus
Carpenter, I. S.	Gibbs	O'Connor	Tozier
Catlin	Gillette	Peck	Travis
Chickering	Gorsline	Phillips	Van Valkenburgh
Childs	Gray	Pitcher	Walsh
Clark	Gwinup	Potter	Waterbury
Clowes	Hayes	Potts	Wells, D. A.
Congdon	Hoffman	Rhodes	Wells, J. L.
Cookinham	Howland	Roberts	Weston
Crapser	Hurd	Root	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 478, general orders No. 533, entitled "An act to authorize and require the Secretary of State to collect and report labor statistics," and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to improve Jackson avenue in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Costello	Hurd	Seeley
Andrews	Crapser	Ingersoll	Sherman
Baker, B. F.	Oullinan	Kennedy	Shuit
Baker, C. S.	Curtis	Lefever	Sipp
Beach	Davis	Lindsay	Sisson
Beates	Deane	Low	Slingerland
Benedict, E. D.	Dougherty	McAvoy	Steele
Bennett	Douglass	Miller	Strait
Bradley	Duell	Mitchell	Tallmadge
Brennan	Duguid	Morgan	Terpeny
Bridges	Evans	Newman	Titus
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fish	Peck	Travis
Carpenter, E. A.	Fiske	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Fitzgerald	Potter	Van Valkenburgh

Catlin  
Chickering  
Clark  
Clowes  
Congdon  
Cookinham

Gibbs  
Gillette  
Gorsline  
Gray  
Hayes

Potts  
Rhodes  
Roberts  
Root  
Russell

Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Youngs

Those who voted in the negative, were  
Gwinup                      Havens

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 27 of the Laws of 1876, entitled 'An act to further amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Bennett  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chickering  
Clark  
Clowes  
Congdon  
Cookinham

Crapser  
Cullinan  
Curtis  
Davis  
Deane  
Dougherty  
Douglass  
Duguid  
Evans  
Ferris  
Fish  
Fiske  
Fitzgerald  
Gibbs  
Gillette  
Gorsline  
Gray  
Grosse  
Hagan  
Hayes  
Howland  
Hurd

Husted  
Ingersoll  
Kennedy  
Lefever  
Low  
McAvoy  
McCabe  
McCarthy  
McDonald  
Miller  
Mitchell  
Morgan  
Newman  
Nowlan  
O'Connor  
Peck  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell

Sanders  
Seeley  
Sheridan  
Sherman  
Shuit  
Sipp  
Sisson  
Slingerland  
Steele  
Stralt  
Tallmadge  
Terpeny  
Terry  
Titus  
Tozier  
Treasor  
Van Valkenburgh  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb, held February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight, for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sheridan
Andrews	Davis	Liddle	Sherman
Baker, B. F.	Deane	Lindsay	Shuit
Baker, C. S.	Dougherty	Low	Sipp
Beach	Douglass	McAvoy	Sisson
Beates	Duell	McCabe	Slingerland
Benedict, E. D.	Duguid	McCarthy	Steele
Bennett	Ellis	McDonald	Strait
Bradley	Evans	Miller	Tallmadge
Brennan	Ferris	Mitchell	Terpeny
Bridges	Fish	Mooers	Terry
Brodsky	Fiske	Morgan	Thilemann
Bullock	Fitzgerald	Newman	Titus
Carpenter, E. A.	Gibbs	Nowlan	Tozier
Carpenter, I. S.	Gillette	O'Connor	Travis
Case	Gorsline	Peck	Treanor
Catlin	Gray	Pitcher	Van Valkenburgh
Chickering	Gwinup	Potter	Varnum
Clark	Hagan	Potts	Warner
Clowes	Hayes	Rhodes	Waterbury
Congdon	Hoffman	Roberts	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Crapser	Ingersoll	Russell	Weston
Cullinan	Kennedy	Seeley	Youngs
Curtis			

Those who voted in the negative, were

Grosse

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 336, entitled "Concurrent resolution proposing an amendment to article 6 of the Constitution," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Rhodes offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 778, general orders No. 958, entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, passed May 25, 1876, and for other purposes,'" and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.



Mr. Mitchell moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act relating to certain local improvements and assessments in the city of New York," and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Sherman offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 370, entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the Board of Regents," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Low	Sherman
Andrews	Dougherty	McAvoy	Shuit
Baker, B. F.	Douglass	McCabe	Sipp
Baker, C. S.	Duell	McCarthy	Sisson
Beach	Duguid	McDonald	Slingerland
Beates	Ellis	Miller	Steele
Benedict, E. D.	Evans	Mitchell	Strait
Bradley	Ferris	Morgan	Tallmadge
Brennan	Fish	Newman	Terpeny
Bridges	Fiske	Nowlan	Terry
Brodsky	Fitzgerald	O'Connor	Thilemann
Bullock	Gibbs	Parker	Titus
Carpenter, E. A.	Gillette	Peck	Tormey
Carpenter, I. S.	Gorsline	Pitcher	Tozier
Case	Gray	Potter	Travis
Catlin	Grosse	Potts	Tully
Clark	Gwinup	Rhodes	Varnum
Olowes	Hayes	Roberts	Waterbury
Congdon	Hoffman	Root	Wells, D. A.
Cookinham	Howland	Russell	Wells, J. L.
Crapser	Husted	Sanders	Weston
Cullinan	Ingersoll	Shanley	Wren
Curtis	Kennedy	Sheridan	Youngs
Davis	Lefever		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Parker offered for the consideration of the House a resolution in the words following:

*Resolved*, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 219, entitled "An act authorizing boards of town auditors to audit certain judgments against commissioners of highways as town charges, and providing for the payment thereof," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Ingersoll	Root
Andrews	Deane	Kennedy	Russell
Baker, B. F.	Dougherty	Lefever	Sanders
Baker, C. S.	Douglass	Lindsay	Seeley
Beach	Duell	Low	Shanley
Beates	Duguid	McAvoy	Sheridan
Bennett	Ellis	McCabe	Sherman
Bradley	Evans	McCarthy	Shuit
Brennan	Ferris	McDonald	Sipp
Bridges	Fish	Miller	Sisson
Brodsky	Fiske	Mitchell	Slingerland
Bullock	Fitzgerald	Morgan	Steele
Carpenter, E. A.	Gibbs	Newman	Strait
Carpenter, I. S.	Gillette	Nowlan	Tallmadge
Catlin	Gorsline	O'Connor	Terpeny
Clark	Gray	Parker	Terry
Clowes	Grosse	Peck	Tozier
Congdon	Gwinup	Phillips	Van Valkenburgh
Cookinham	Hayes	Pitcher	Warner
Crapser	Hoffman	Potter	Waterbury
Cullinan	Howland	Potts	Wells, J. L.
Curtis	Hurd	Rhodes	Weston
Cushing	Husted	Roberts	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water and authorizing the issue of bonds therefor, and to create a board of water commissioners.'"

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica.'"

"An act to exempt the county of Sullivan from so much of the pro-

visions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers."

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to authorize the trustees of the village of Greene, Chenango county, to sell certain real estate, owned and used by said village for the purpose of the fire department of such village, and to purchase a new site and building for that purpose by the consent of a majority of the electors of said village."

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers.'"

"An act to provide a public park for the city of Elmira and for the care of the same."

"An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends.'"

"An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie, passed April 19, 1867.'"

"An act to amend chapter 77 of the Laws of 1846, entitled 'An act to provide for the erection and establishment of a work-house in the county of Erie.'"

"An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons."

"An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services, and to repeal chapter 597 of the Laws of 1870, amendatory of said act.'"

"An act entitled 'An act providing for the verification of pleadings in the justices' court.'"

- "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York."

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers.'"

"An act to incorporate the National Guard Mutual Relief Association of the State of New York."

"An act to incorporate the National Tent of the National Order of Rechabites."

"An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

"An act to permit the admission of persons not paupers into the asylums of this State."

"An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester."

"An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district."

"An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan."

"An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.'"

"An act to provide for the settlement of the boundary lines between the State of New York and the States of Pennsylvania and New Jersey, respectively."

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto.'"

"An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company."

"An act to revise and consolidate the general acts relating to the relief and support of indigent persons."

"An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists, passed April 12, 1862, for the purpose of organizing a Missionary Board, and defining its powers and duties.'"

"An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations."

"An act in relation to the county treasurers in the counties of Monroe and Seneca."

"An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Childs presented a petition of citizens of the village of Cortland asking for the repeal of the law creating a union free school district in that village; which was read and referred to the committee on public education.

The Senate returned the bill entitled "An act to amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,'" with a message that they do non-concur in the passage of the same.

The Senate returned the "Concurrent resolution for the printing of the Thirty-second Annual Report of the State Museum of Natural History," with a message that they had passed the same with the following amendment:

Strike out "Thirty-second Annual Report" and insert "Thirty-third Annual Report."

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor the following bills for amendment:

Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs and other commissioners of excise in the town of Broadalbin."

Assembly bill No. 635, entitled "An act to enable the electors of the town of Mayfield to vote by districts for town officers."

Assembly bill No. 358, entitled "An act to amend the charter of the village of Horseheads."

Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Procedure."

On motion of Mr. Weston, and at seven o'clock and fifty-five minutes, the House adjourned.

## THURSDAY MORNING, MAY 20, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Meredith.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. John R. Kennedy and Hon. Joseph P. McDonough, former members of this House.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 371, general orders 1042, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sherman
Baker, C. S.	Cushing	Liddle	Shuit
Beach	Davis	Lindsay	Sipp
Beates	Deane	Low	Sisson
Benedict, T. E.	Dougherty	McAvoy	Slingerland
Bennett	Douglass	McCarthy	Steele
Bradley	Duell	Mead	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Ferris	Mooers	Thilemann
Brodsky	Fish	Newman	Titus
Bullock	Fiske	Nowlan	Tozier
Case	Fitzgerald	O'Brien	Travis
Catlin	Gorsline	Parker	Treanor
Chamberlain	Griggs	Phillips	Tuthill, H. H.
Clowes	Gwinup	Potts	Waterbury

Cohen	Hagan	Rhodes	Wells, D. A.
Congdon	Havens	Roberts	Wells, J. L.
Cookinham	Hoffman	Root	Weston
Costello	Hurd	Russell	Wren
Crapser	Ingersoll	Sheridan	Youngs
Cullinan	Kennedy		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Russell
Baker, C. S.	Cushing	Low	Sheridan
Beach	Davis	McAvoy	Sherman
Beates	Deane	McCabe	Shuit
Benedict, T. E.	Douglass	McDonald	Sipp
Bennett	Duell	McTernan	Sisson
Bradley	Evans	Mead	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mooers	Titus
Brodsky	Fiske	Morgan	Tozier
Bullock	Fitzgerald	Newman	Travis
Catlin	Gibbs	Nowlan	Treanor
Chamberlain	Griggs	O'Brien	Tuthill, H. H.
Chase	Gwinup	Parker	Warner
Chickering	Havens	Peck	Waterbury
Clowes	Hoffman	Phillips	Wells, D. A.
Cohen	Hurd	Potts	Wells, J. L.
Congdon	Ingersoll	Rhodes	Weston
Cookinham	Lefever	Roberts	Wren
Costello	Liddle	Root	Youngs
Crapser			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to street railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Sheridan
Baker, C. S.	Davis	Lindsay	Sherman
Beach	Deane	Low	Shuit

Beates	Dougherty	McAvoy	Sipp
Benedict, T. E.	Douglass	McCabe	Sisson
Bennett	Duell	Mead	Tallmadge
Bradley	Evans	Mooers	Thilemann
Brennan	Ferris	Morgan	Titus
Bridges	Fish	Newman	Tozier
Brodsky	Fiske	Nowlan	Travis
Bullock	Fitzgerald	O'Brien	Treanor
Carpenter, I. S.	Gibbs	Parker	Tuthill, H. H.
Catlin	Gray	Phillips	Warner
Chamberlain	Griggs	Pitcher	Waterbury
Chickering	Gwinup	Potter	Wells, D. A.
Clowes	Havens	Potts	Wells, J. L.
Congdon	Hoffman	Rhodes	Weston
Cookinham	Howland	Roberts	Wren
Costello	Hurd	Root	Youngs
Crapser	Lefever	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of the Five Points House of Industry in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sheridan
Baker, C. S.	Cushing	Lindsay	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Benedict, T. E.	Dougherty	McCabe	Sisson
Bennett	Douglass	Mead	Tallmadge
Bradley	Duell	Miller	Thilemann
Brennan	Evans	Mooers	Titus
Bridges	Ferris	Morgan	Tormey
Brodsky	Fish	Newman	Tozier
Carpenter, I. S.	Fiske	Nowlan	Travis
Catlin	Fitzgerald	O'Brien	Treanor
Chamberlain	Gibbs	Parker	Tuthill, H. H.
Chickering	Gray	Phillips	Warner
Childs	Griggs	Pitcher	Waterbury
Clowes	Havens	Potter	Wells, D. A.
Cohen	Hayes	Potts	Wells, J. L.
Congdon	Howland	Rhodes	Weston
Cookinham	Hurd	Roberts	Wren
Costello	Lefever	Root	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the relief of Patrick Burns," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a



majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 55 }  
{ NOES 32 }

Those who voted in the affirmative, were

Alvord	Cushing	Mead	Shuit
Beates	Deane	Newman	Sisson
Bridges	Ferris	Nowlan	Slingerland
Brodsky	Fitzgerald	O'Brien	Tallmadge
Bullock	Gray	O'Connor	Tormey
Case	Gwinup	Parker	Tozier
Catlin	Hagan	Phillips	Travis
Chamberlain	Hayes	Pitcher	Tully
Childs	Howland	Rhodes	Tuthill, H. H.
Clancy	Liddle	Roberts	Warner
Clowes	Lindsay	Russell	Wells, D. A.
Congdon	Low	Sanders	Wells, J. L.
Costello	McCabe	Shanley	Wren
Oullinan	McTernan	Sherman	

Those who voted in the negative, were

Baker, C. S.	Cohen	Fish	Root
Beach	Cookinham	Havens	Seeley
Benedict, T. E.	Crapser	Hoffman	Sipp
Bradley	Davis	Miller	Strait
Brennan	Dougherty	Mitchell	Titus
Carpenter, E. A.	Douglass	Mooers	Treanor
Carpenter, I. S.	Ellis	Morgan	Varnum
Ohickering	Evans	Potts	Waterbury

Mr. Travis moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted Assembly bill No. 90, entitled "An act to protect Central Park, in the city of New York, and the streets bordering the same from encroachment by elevated railroads," reported back said bill, with the recommendation that the Assembly do not concur in the Senate amendments, and that a committee of conference be appointed thereon.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Cohen (introductory No. 1195), entitled "An act to amend chapter 194 of the Laws of 1874, entitled 'An act to prevent extortion by gas companies in the counties of New York and Kings,'" reported the same for the consideration of the House.

Senate bill entitled "An act to enable the First Baptist Church of Auburn to convey certain real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sanders
Baker, O. S.	Cushing	Liddle	Seeley
Beach	Davis	Lindsay	Sherman
Beates	Deane	Low	Shuit
Benedict, T. E.	Douglass	McAvoy	Sipp
Bennett	Duell	McCabe	Sisson
Bradley	Duguid	McTernan	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Ferris	Mooers	Tormey
Brodsky	Fish	Morgan	Tozier
Bullock	Fiske	Newman	Travis
Carpenter, I. S.	Gibbs	Nowlan	Treanor
Catlin	Gray	O'Connor	Tully
Chickering	Griggs	Peck	Tuthill, H. H.
Childs	Gwinup	Phillips	Warner
Clowes	Havens	Pitcher	Waterbury
Comstock	Hayes	Potter	Wells, D. A.
Congdon	Hoffman	Potts	Wells, J. L.
Cookinham	Howland	Rhodes	Weston
Costello	Hurd	Root	Youngs
Crapser	Husted		

*Ordered.* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Saint Joseph's Cemetery in the city of Auburn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Seeley
Baker, B. F.	Deane	McAvoy	Shanley
Baker, O. S.	Dougherty	McCabe	Sherman
Beach	Douglass	McCarthy	Shuit
Beates	Duell	McDonald	Sipp
Benedict, T. E.	Duguid	McTernan	Sisson
Bennett	Ellis	Mead	Slingerland
Bradley	Evans	Miller	Strait
Brennan	Ferris	Mooers	Tallmadge
Brodsky	Fish	Morgan	Terpeny
Bullock	Fitzgerald	Newman	Thilemann
Carpenter, E. A.	Gibbs	Nowlan	Titus
Carpenter, I. S.	Gillette	O'Brien	Tormey
Catlin	Gorsline	O'Connor	Tozier
Chickering	Gray	Parker	Travis
Clark	Griggs	Peck	Treanor
Clowes	Hayes	Phillips	Tully
Cohen	Hoffman	Potter	Tuthill, H. H.
Congdon	Howland	Potts	Walsh
Cookinham	Hurd	Rhodes	Warner
Costello	Husted	Roberts	Waterbury

Crapser	Ingersoll	Root	Wells, D. A.
Cullinan	Kennedy	Russell	Wells, J. L.
Curtis	Lefever	Sanders	Weston
Cushing	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Shuit
Andrews	Cookinham	Liddle	Sipp
Baker, B. F.	Costello	Lindsay	Sisson
Baker, C. S.	Curtis	Low	Steele
Beach	Cushing	McAvoy	Strait
Beates	Davis	McDonald	Tallmadge
Bradley	Deane	McTernan	Terpeny
Brennan	Dougherty	Mooers	Titus
Bridges	Douglass	Morgan	Tormey
Brodsky	Duguid	Nowlan	Tozier
Bullock	Fitzgerald	O'Brien	Travis
Carpenter, E. A.	Gibbs	O'Connor	Tuthill, H. H.
Carpenter, I. S.	Gillette	Pitcher	Varnum
Catlin	Gorsline	Potter	Warner
Chase	Gray	Potts	Waterbury
Chickering	Hayes	Root	Wells, D. A.
Clark	Howland	Russell	Wells, J. L.
Clowes	Hurd	Seeloy	Weston
Cohen	Husted	Shanley	Youngs
Comstock	Ingersoll	Sherman	Mr. Speaker

Those who voted in the negative, were

Benedict, T. E.	Ferris	Hoffman	Parker
Case	Fish	McCabe	Peck
Crapser	Gwinup	Miller	Slingerland
Ellis	Havens	Mitchell	Tully
Evans			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Cathedral Chapter and Corporators of the Diocese of Western, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Hurd	Sherman
Andrews	Costello	Husted	Shuit
Baker, B. F.	Curtis	Kennedy	Sipp
Baker, C. S.	Davis	McAvoy	Slingerland
Beach	Deane	McCabe	Tallmadge
Beates	Dougherty	McTernan	Terpeny
Benedict, T. E.	Douglass	Mead	Terry
Bennett	Duguid	Miller	Thilemann
Bradley	Ellis	Mitchell	Titus
Brennan	Evans	Morgan	Tormey
Bridges	Ferris	Nowlan	Tozier
Brodsky	Fish	O'Brien	Travis
Bullock	Fiske	O'Connor	Treanor
Carpenter, E. A.	Fitzgerald	Parker	Tully
Carpenter, I. S.	Gibbs	Peck	Varnum
Case	Gillette	Phillips	Warner
Catlin	Gorsline	Pitcher	Waterbury
Chamberlain	Gray	Potter	Wells, D. A.
Chickering	Gwinup	Rhodes	Wells, J. L.
Clowes	Havens	Russell	Weston
Cohen	Hayes	Seeley	Yungus
Comstock	Hoffman	Shanley	Mr. Speaker
Congdon	Howland	Sheridan	

Those who voted in the negative, were

Potts                      Root

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Russell
Andrews	Cushing	Husted	Sanders
Baker, C. S.	Davis	Kennedy	Seeley
Beach	Deane	Liddle	Sheridan
Beates	Dougherty	McAvoy	Sherman
Benedict, T. E.	Douglass	McCabe	Shuit
Bennett	Duell	McCarthy	Sipp
Bradley	Duguid	McTernan	Sisson
Brennan	Ellis	Miller	Tallmadge
Brodsky	Evans	Mitchell	Terpeny
Carpenter, E. A.	Ferris	Mooers	Terry
Carpenter, I. S.	Fish	Morgan	Titus
Case	Fiske	Newman	Tormey
Catlin	Fitzgerald	Nowlan	Tozier
Chamberlain	Gibbs	O'Brien	Treanor

Ohickering	Gillette	Parker	Tuthill, H. H.
Childs	Gorsline	Peck	Varnum
Clark	Griggs	Phillips	Warner
Clowes	Grosse	Pitcher	Waterbury
Cohen	Gwinup	Potter	Wells, D. A.
Comstock	Havens	Potts	Wells, J. L.
Congdon	Hayes	Rhodes	Weston
Cookinham	Hoffman	Roberts	Wren
Costello	Howland	Root	Youngs

Those who voted in the negative, were  
Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sheridan offered for the consideration of the House a privileged resolution in the words following :

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Griggs moved to take from the table the motion to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' " were concurred in.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Sanders
Andrews	Cullinan	Liddle	Seeley
Baker, C. S.	Curtis	Lindsay	Sherman
Beach	Cushing	McAvoy	Shuit
Beates	Davis	McCabe	Sipp
Benedict, T. E.	Deane	McCarthy	Sisson
Bennett	Dougherty	Newman	Slingerland
Bradley	Douglass	Miller	Steele
Brennan	Duell	Mitchell	Tallmadge
Bridges	Evans	Mooers	Terpeny
Brodsky	Ferris	Morgan	Terry
Carpenter, E. A.	Fish	Newman	Titus
Carpenter, I. S.	Fitzgerald	Nowlan	Tozier
Catlin	Gibbs	O'Brien	Travis
Chamberlain	Gillette	Parker	Treanor

Chickering	Gorsline	Peck	Tully
Childs	Gray	Phillips	Tuthill, H. H.
Clark	Griggs	Pitcher	Varnum
Clowes	Grosse	Potter	Warner
Cohen	Gwinup	Potts	Waterbury
Oomstock	Havens	Rhodes	Wells, D. A.
Congdon	Hayes	Roberts	Wells, J. L.
Cookinham	Hoffman	Root	Weston
Costello	Howland	Russell	Youngs

Mr. Alvord moved to non-concur in the amendments made to said bill, and asked the appointment of a conference committee on the part of the House and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolutions:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 274, entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Requesting the return of Senate bill No. 120, entitled "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The bill entitled "An act releasing all the right, title and interest of the People of the State of New York to and in certain lands in the city of Brooklyn, Eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Kennedy	Russell
Andrews	Curtis	Lefever	Sanders
Baker, C. S.	Cushing	Liddle	Seeley
Beach	Davis	Lindsay	Sherman
Beates	Deane	McAvoy	Shuit
Bennett	Dougherty	McCabe	Sipp
Bradley	Douglass	Mead	Sisson
Brennan	Duell	Miller	Steele
Bridges	Evans	Mitchell	Tallmadge
Brodsky	Ferris	Mooers	Terpeny
Bullock	Fish	Morgan	Terry
Carpenter, E. A.	Fiske	Newman	Titus

Carpenter, I. S.	Fitzgerald	Nowlan	Tozier
Catlin	Gibbs	O'Brien	Travis
Chamberlain	Gillette	Parker	Tully
Chickering	Gorsline	Peck	Tuthill, H. H.
Childs	Gray	Phillips	Warner
Clark	Hayes	Pitcher	Waterbury
Clowes	Hoffman	Potter	Wells, D. A.
Cohen	Howland	Potts	Wells, J. L.
Comstock	Hurd	Rhodes	Weston
Congdon	Husted	Roberts	Wren
Cookinham	Ingersoll	Root	Youngs
Costello			

Those who voted in the negative, were

Ellis                      Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown, passed March 31, 1866, and to define the school district boundaries,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Root
Andrews	Curtis	Lefever	Russell
Baker, C. S.	Cushing	Liddle	Sanders
Beach	Davis	Lindsay	Shuit
Beates	Deane	Low	Sipp
Benedict, E. D.	Dougherty	McAvoy	Sisson
Bennett	Douglass	McCabe	Slingerland
Bradley	Duell	Mead	Tallmadge
Brennan	Duguid	Miller	Terpeny
Bridges	Evans	Mitchell	Terry
Brodsky	Ferris	Mooers	Thilemann
Bullock	Fish	Morgan	Titus
Carpenter, I. S.	Fiske	Newman	Tozier
Case	Gibbs	Nowlan	Travis
Catlin	Gillette	O'Brien	Treanor
Chamberlain	Gorsline	Parker	Tuthill, H. H.
Chickering	Gray	Peck	Warner
Childs	Gwinup	Phillips	Waterbury
Clark	Havens	Pitcher	Wells, D. A.
Clowes	Hayes	Potter	Wells, J. L.
Comstock	Howland	Potts	Weston
Congdon	Hurd	Rhodes	Wren
Cookinham	Husted	Roberts	Youngs
Crapser	Ingersoll		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.



Senate bill entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennedy	Roberts
Baker, B. F.	Deane	Lefever	Root
Baker, C. S.	Dougherty	Liddle	Russell
Beach	Douglass	Lindsay	Seeley
Beates	Duguid	Low	Sheridan
Benedict, T. E.	Ellis	McAvoy	Sherman
Bradley	Evans	McCabe	Shuit
Brennan	Ferris	McCarthy	Sipp
Bridges	Fish	McDonald	Sisson
Brodsky	Fiske	McTernan	Slingerland
Carpenter, E. A.	Fitzgerald	Mead	Tallmadge
Carpenter, I. S.	Gibbs	Miller	Terry
Case	Gillette	Mitchell	Thilemann
Chickering	Gorsline	Mooers	Titus
Childs	Gray	Morgan	Tormey
Clark	Gwinup	Newman	Tozier
Comstock	Havens	Nowlan	Tully
Congdon	Hayes	O'Brien	Varnum
Cookinham	Hoffman	O'Connor	Warner
Costello	Howland	Parker	Waterbury
Crafts	Hurd	Peck	Wells, D. A.
Curtis	Husted	Phillips	Wells, J. L.
Cushing	Ingersoll	Potts	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. 142.)

Senate bill entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Duguid	Miller	Slingerland
Baker, B. F.	Ellis	Mitchell	Strait
Baker, C. S.	Evans	Mooers	Tallmadge
Beates	Ferris	Morgan	Terpeny
Benedict, T. E.	Fish	Newman	Terry

Bradley	Fiske	Nowlan	Thilemann
Brennan	Fitzgerald	O'Connor	Tormey
Brotsky	Gibbs	Peck	Tozier
Bullock	Gorsline	Phillips	Travis
Case	Griggs	Pitcher	Tully
Chamberlain	Gwinup	Potts	Van Valkenburgh
Chickering	Hayes	Rhodes	Varnum
Clark	Hoffman	Roberts	Walsh
Clowes	Hurd	Root	Warner
Comstock	Husted	Russell	Waterbury
Congdon	Ingersoll	Seeley	Wells, D. A.
Cookinham	Kennedy	Shanley	Wells, J. L.
Costello	Lindsay	Sheridan	Weston
Davis	Low	Sherman	Wiley
Dougherty	McAvoy	Shuit	Wren
Douglass	McCabe	Sipp	Youngs
Duell	Mead	Sisson	

Those who voted in the negative, were

Andrews	Crapser	Gillette	Howland
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker appointed as a conference committee on Assembly bill No. 90, entitled "An act to protect Central Park, in the city of New York, and the streets bordering upon the same, from encroachment by elevated railroads," Messrs. Varnum, E. A. Carpenter, C. S. Baker, Brodsky and Shanley.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of the appointment of a conference committee thereon, and request a like committee on the part of the Senate.

A message from the Senate was received in the words following:

IN SENATE, *May 17, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations.' "

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Jacobs, and by unanimous consent, the same was amended as follows:

Strike out the 1st section of this bill and insert the following in lieu thereof:

Section 1. The paragraph of chapter 272 of the Laws of 1879, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," which reads as follows:

"For the erection of State armories in the cities of New York and Brooklyn, the sum of \$200,000, as follows: \$100,000 thereof for the erection of an armory in the city of New York, for the use of the eighth regiment, National Guard, State of New York, a battery of artillery, a troop of cavalry, and for the head-quarters of the third brigade; and \$100,000 thereof for the erection of an armory in the eastern district of the city of Brooklyn, for the use of that portion of the infantry of the eleventh brigade whose head-quarters are in said district; to be expended under the direction of the Adjutant-General,

the Inspector-General, and the Chief of Ordnance of this State. But no part of this appropriation shall be expended by them except upon a contract for the completion of the armory in each case, at a cost not to exceed \$100,000 in each case, nor until an indefeasible title to a suitable site for such armory in each case, free from all incumbrances, shall be vested in the People of this State without cost to the State, and to be approved by the above named officials or a majority of them. Such contract shall be awarded by them to the lowest responsible bidder therefor, after reasonable and public advertisement for such work," is hereby amended so as to read as follows:

"For the erection of State armories in the cities of New York and Brooklyn the sum of \$200,000, as follows: \$100,000 thereof for the erection of an armory in the city of New York for the use of the eighth regiment, National Guard, State of New York, a battery of artillery, a troop of cavalry, and for the head-quarters of the third brigade; and \$100,000 thereof for the erection of an armory in the eastern district of the city of Brooklyn for the use of that portion of the infantry of the eleventh brigade whose head-quarters are in said district; to be expended under the direction of the Adjutant-General, the Inspector-General, and the Chief of Ordnance of this State. But no part of this appropriation shall be expended by them except upon a contract for the completion of the armory in each case, at a cost not to exceed \$100,000 in each case, nor until an indefeasible title to a suitable site for such armory in each case, free from all incumbrances, shall be vested in the People of this State without cost to the State, and to be approved by the above named officials or a majority of them. Provided, that if the city of New York is the owner of any real estate by indefeasible title, suitable as a site for an armory for said eighth regiment, said battery of artillery, said troop of cavalry, and said head-quarters of the third brigade, and acceptable to the above named officials, the city of New York may lease the same to the State of New York for such purpose for the term of ninety-nine years at one dollar per year. and the above named officials may accept the same for such purpose. Such contract shall be awarded by them to the lowest responsible bidder therefor, after reasonable and public advertisement for such work."

And as amended, passed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Hurd	Root
Andrews	Cushing	Husted	Russell
Baker, B. F.	Davis	Ingersoll	Sanders
Baker, C. S.	Deane	Kennedy	Seeley
Beach	Dougherty	Liddle	Sheridan
Beates	Douglass	McAvoy	Sherman
Benedict, E. D.	Duell	McCabe	Shuit
Bradley	Duguid	McCarthy	Sipp
Brennan	Ellis	McDonald	Sisson
Brodsky	Evans	Miller	Slingerland
Bullock	Ferris	Mitchell	Tallmadge

Carpenter, E. A.	Fish	Mooers	Terry
Carpenter, I. S.	Fiske	Morgan	Thilemann
Catlin	Gibbs	Newman	Titus
Chase	Gillette	Nowlan	Travis
Chickering	Gorsline	O'Brien	Tully
Clark	Gray	O'Connor	Van Valkenburgh
Clowes	Grosse	Parker	Warner
Comstock	Gwinup	Peck	Waterbury
Congdon	Hagan	Phillips	Wells, D. A.
Cookinham	Havens	Pitcher	Wells, J. L.
Costello	Hayes	Potts	Weston
Crapser	Hoffman	Rhodes	Wiley
Cullinan	Howland	Roberts	Wren

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Roberts
Andrews	Congdon	Hurd	Root
Baker, B. F.	Cookinham	Husted	Russell
Baker, C. S.	Costello	Ingersoll	Sanders
Beach	Crapser	Kennedy	Seeley
Beates	Cullinan	Liddle	Sherman
Benedict, E. D.	Curtis	McAvoy	Shuit
Benedict, T. E.	Cushing	McCabe	Sipp
Bennett	Davis	McCarthy	Sisson
Bradley	Deane	McDonald	Slingerland
Brennan	Dougherty	Miller	Tallmadge
Bridges	Douglass	Mitchell	Terry
Brotsky	Duguid	Morgan	Tormey
Bullock	Fish	Newman	Tully
Carpenter, E. A.	Fiske	Nowlan	Van Valkenburgh
Carpenter, I. S.	Fitzgerald	O'Brien	Walsh
Catlin	Gibbs	O'Connor	Warner
Chamberlain	Gillette	Parker	Waterbury
Chase	Gorsline	Peck	Wells, D. A.
Chickering	Gray	Phillips	Wells, J. L.
Clark	Grosse	Pitcher	Weston
Clowes	Hayes	Potts	Wiley
Cohen	Hoffman		

Those who voted in the negative, were

Ellis	Gwinup	Rhodes
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*Ordered*, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Mr. Shanley moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act in relation to the highways of this State of certain width," was lost.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sanders
Andrews	Cushing	Low	Seeley
Baker, B. F.	Davis	McAvoy	Shanley
Baker, C. S.	Dougherty	McCarthy	Sherman
Beates	Ellis	McDonald	Shuit
Benedict, T. E.	Evans	McTernan	Sipp
Bennett	Ferris	Mead	Sisson
Bradley	Fish	Miller	Steele
Brennan	Fiske	Mitchell	Tallmadge
Brotsky	Gibbs	Mooers	Terpeny
Bullock	Gorsline	Newman	Thilemann
Case	Griggs	O'Connor	Tormey
Catlin	Gwinup	Parker	Treanor
Chase	Hagan	Peck	Tully
Clancy	Havens	Phillips	Van Valkenburgh
Clark	Hayes	Pitcher	Warner
Cohen	Hoffman	Potter	Waterbury
Costello	Howland	Potts	Wells, D. A.
Crapser	Hurd	Rhodes	Wiley
Cullinan	Ingersoll	Root	Youngs

Those who voted in the negative, were

Carpenter, I. S.	Douglass	Lindsay	Varnum
Chamberlain	Fitzgerald	Nowlan	Walsh
Childs	Gillette	Russell	Weston
Comstock	Lefever	Tuthill, H. H.	Wren

Mr. Russell moved to recommit said bill to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Dougherty	McDonald	Shanley
Andrews	Douglass	McTernan	Sheridan
Baker, C. S.	Duguid	Mead	Sherman
Benedict, T. E.	Ellis	Miller	Sipp
Bennett	Fish	Mitchell	Strait
Bradley	Fiske	Mooers	Tallmadge
Brennan	Gibbs	Newman	Terpeny
Brotsky	Gray	O'Brien	Thilemann
Bullock	Griggs	O'Connor	Tormey
Catlin	Gwinup	Parker	Tozier
Chase	Havens	Peck	Travis
Childs	Hayes	Phillips	Treanor
Clancy	Hoffman	Pitcher	Tully
Clowes	Howland	Potter	Van Valkenburgh
Cohen	Husted	Potts	Varnum
Costello	Ingersoll	Rhodes	Warner
Crapser	Liddle	Roberts	Waterbury

Curtis  
Cushing

McAvoy  
McCarthy

Root  
Seeley

Wells, D. A.  
Wiley

Those who voted in the negative, were

Beates

Cullinan

Low

Tuthill, H. H.

Carpenter, E. A.

Grosse

Morgan

Walsh

Chamberlain

Kennedy

Nowlan

Weston

Comstock

Lindsay

Russell

Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act fixing the amount to be paid on a policy of insurance," being announced for a third reading.

Mr. Bradley moved to recommit said bill to the committee on insurance, with instructions to amend said bill in words following:

In line 4, section 1, after the word "unless" insert "there be a special agreement upon a separate instrument between the assurer and the insured, that the amount of damages shall be the actual loss sustained, provided the same does not exceed the amount insured, and unless."

Mr. C. S. Baker moved to further instruct said committee by strike-out all after the enacting clause and insert the following:

"An act to limit insurance on buildings by fire insurance companies and to prevent fraudulent fires."

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

Section 1. No company, corporation or individual now or to be authorized to transact the business of fire insurance in this State shall hereafter, either by a new contract or the renewal or extension of any contract now in force, insure or agree to insure, or indemnify any person or persons against loss or damage by fire to any building or buildings, in excess of three-fourths of the actual cash value of such building or buildings; nor shall any such insurer be compelled to pay more than three-fourths of the actual cash value of any building or buildings at the time of loss.

§ 2. Any violation of the provisions of the foregoing section shall cause a forfeiture of the whole premium or sum received for such insurance to and for the use and benefit of the poor of the town, village or city where the insured building or buildings may be located, to be collected by the officer or officers in charge of said poor. And any willful violation of said first section shall be deemed a misdemeanor on the part of the agent or insurer found guilty thereof, punishable by a fine not exceeding \$500, or imprisonment if such fine be not paid.

§ 3. In case of loss where the forfeiture mentioned in the last section is less than \$50, a summons for the collection of the same may be issued by a justice of the peace of said town, village or city, returnable not less than twenty days from the service thereof, and may be served upon the agent issuing said insurance; or if issued from the chief office of the company, upon an officer or attorney of the issuer in any of the counties of this State, the same as if issued out of the Supreme Court of this State, and the justice of the peace issuing said summons shall have jurisdiction in the action and over the party so served, the same as if such party was a resident of the county where such justice resides, and the judgment rendered by said justice may be filed and docketed, and execution thereon issued in any county of this State, as now provided by law, and with the same costs as on a

judgment of over \$50. In the event of such execution being returned unsatisfied, and that fact being certified by the officer issuing the same to the Superintendent of the Insurance Department, said Superintendent shall immediately notify said company or its attorney in this State, and revoke its certificate in case said execution and the fees thereon are not paid within twenty days after the service of said notice.

§ 4 This act shall not prevent the issuing of a valued policy, whereby the value of the building is agreed upon and specified in the policy at the time of issuing the same by special contract between insurer and insured, and whenever loss occurs under such policy the insurer shall be debarred from proving the value of such building to be less than the specified value, but shall be liable, in the absence of fraud, to pay the full amount so specified in case of total loss and the actual damage in case of partial loss, with the privilege of rebuilding or repairing said building in material and workmanship equal to that of said building at time of loss.

§ 5. This act shall take effect on the first day of July, 1880.

Debate arising,

Mr. Rhodes moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Bradley, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 40 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sherman
Baker, B. F.	Cullinan	Kennedy	Sipp
Beach	Curtis	Low	Sisson
Beates	Cushing	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCarthy	Strait
Benedict, T. E.	Douglass	McDonald	Terpeny
Bennett	Evans	McTernan	Terry
Brennan	Fish	Mead	Thilemann
Bridges	Fitzgerald	Morgan	Titus
Bullock	Gibbs	Newman	Tormey
Case	Gorsline	O'Brien	Tozier
Chase	Gray	O'Connor	Treanor
Chickering	Gwinup	Peck	Tully
Clanoy	Hagan	Phillips	Van Valkenburgh
Clark	Havens	Potter	Walsh
Cohen	Hayes	Rhodes	Warner
Comstock	Hoffman	Roberts	Wells, D. A.
Congdon	Howland	Shanley	Weston
Costello	Hurd	Sheridan	Wren

Those who voted in the negative, were

Andrews	Duell	Miller	Shuit
Baker, C. S.	Duguid	Mitchell	Steele



Bradley	Elli	Moore	Talmadge
Brodsky	Ferris	Nowlan	Travis
Carpenter, E. A.	Fiske	Parker	Fitchell, H. H.
Carpenter, L. S.	Gillette	Pischer	Varnum
Catlin	Griggs	Potts	Waterbury
Chamberlain	Husted	Root	Wells, J. L.
Davis	Little	Russell	Youngs
Deane	Lindsay	Seeley	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Speaker appointed as a conference committee on Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'" Messrs. Griggs, Shuit Bridges, Andrews, and Havens.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That this order of business be laid aside for the purpose of going into committee of the whole upon Senate bill No. 397, entitled "An act to suppress intemperance, and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Varnum moved to lay on the table the order of business third reading of bills, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time.

Mr. Terry moved to substitute said bill for Assembly bill on same subject now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Sanders
Andrews	Oullinan	Husted	Seeley

Baker, B. F.	Curtis	Ingersoll	Shanley
Baker, C. S.	Cushing	Kennedy	Sheridan
Beach	Davis	Lefever	Sherman
Beates	Deane	Liddle	Shuit
Benedict, T. E.	Dougherty	Low	Sipp
Bennett	Douglass	McAvoy	Sisson
Brennan	Duell	McCabe	Slingerland
Bridges	Duguid	McCarthy	Steele
Brodsky	Ellis	McDonald	Strait
Bullock	Evans	Mooers	Tallmadge
Carpenter, E. A.	Ferris	Morgan	Terpeny
Carpenter, I. S.	Fish	Newman	Terry
Case	Fiske	Nowlan	Titus
Catlin	Fitzgerald	O'Brien	Tormey
Chickering	Gibbs	O'Connor	Tozier
Childs	Gillette	Peck	Travis
Clark	Gorsline	Phillips	Tully
Clowes	Gwinup	Pitcher	Tuthill, H. H.
Cohen	Hagan	Potts	Warner
Comstock	Havens	Rhodes	Waterbury
Congdon	Hayes	Roberts	Wells, D. A.
Cookinham	Hoffman	Root	Wells, J. L.
Costello	Howland	Russell	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 282 of the Laws of 1879, entitled 'An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Russell
Andrews	Cushing	Lefever	Sanders
Baker, B. F.	Deane	Liddle	Seeley
Baker, C. S.	Dougherty	Lindsay	Sheridan
Beach	Douglass	Low	Sherman
Beates	Duguid	McAvoy	Shuit
Benedict, E. D.	Evans	McCabe	Sipp
Benedict, T. E.	Ferris	McCarthy	Sisson
Bradley	Fish	McDonald	Slingerland
Brennan	Fitzgerald	Miller	Steele
Bridges	Gibbs	Mooers	Strait
Brodsky	Gillette	Morgan	Tallmadge
Bullock	Gorsline	Nowlan	Terpeny
Carpenter, I. S.	Gray	O'Brien	Terry
Case	Griggs	O'Connor	Titus
Catlin	Gwinup	Parker	Tozier
Clark	Hagan	Peck	Travis

Bradley	Ellis	Mooers	Tallmadge
Brotsky	Ferris	Nowlan	Travis
Carpenter, E. A.	Fiske	Parker	Tuthill, H. H.
Carpenter, I. S.	Gillette	Pitcher	Varnum
Catlin	Griggs	Potts	Waterbury
Chamberlain	Husted	Root	Wells, J. L.
Davis	Liddle	Russell	Youngs
Deane	Lindsay	Seeley	Mr. Speaker

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Speaker appointed as a conference committee on Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" Messrs. Griggs, Shuit, Bridges, Andrews, and Havens.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

*Resolved*, That this order of business be laid aside for the purpose of going into committee of the whole upon Senate bill No. 397, entitled "An act to suppress intemperance, and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Varnum moved to lay on the table the order of business third reading of bills, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time.

Mr. Terry moved to substitute said bill for Assembly bill on same subject now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Sanders
Andrews	Oullinan	Husted	Seeley

Baker, B. F.	Curtis	Ingersoll	Shanley
Baker, C. S.	Cushing	Kennedy	Sheridan
Beach	Davis	Lefever	Sherman
Beates	Deane	Liddle	Shuit
Benedict, T. E.	Dougherty	Low	Sipp
Bennett	Douglass	McAvoy	Sisson
Brennan	Duell	McCabe	Slingerland
Bridges	Duguid	McCarthy	Steele
Brodsky	Ellis	McDonald	Strait
Bullock	Evans	Mooers	Tallmadge
Carpenter, E. A.	Ferris	Morgan	Terpeny
Carpenter, I. S.	Fish	Newman	Terry
Case	Fiske	Nowlan	Titus
Catlin	Fitzgerald	O'Brien	Tormey
Chickering	Gibbs	O'Connor	Tozier
Childs	Gillette	Peck	Travis
Clark	Gorsline	Phillips	Tully
Clowes	Gwinup	Pitcher	Tuthill, H. H.
Cohen	Hagan	Potts	Warner
Comstock	Havens	Rhodes	Waterbury
Congdon	Hayes	Roberts	Wells, D. A.
Cookinham	Hoffman	Root	Wells, J. L.
Costello	Howland	Russell	Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 282 of the Laws of 1879, entitled 'An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Russell
Andrews	Cushing	Lefever	Sanders
Baker, B. F.	Deane	Liddle	Seeley
Baker, C. S.	Dougherty	Lindsay	Sheridan
Beach	Douglass	Low	Sherman
Beates	Duguid	McAvoy	Shuit
Benedict, E. D.	Evans	McCabe	Sipp
Benedict, T. E.	Ferris	McCarthy	Sisson
Bradley	Fish	McDonald	Slingerland
Brennan	Fitzgerald	Miller	Steele
Bridges	Gibbs	Mooers	Strait
Brodsky	Gillette	Morgan	Tallmadge
Bullock	Gorsline	Nowlan	Terpeny
Carpenter, I. S.	Gray	O'Brien	Terry
Case	Griggs	O'Connor	Titus
Catlin	Gwinup	Parker	Tozier
Clark	Hagan	Peck	Travis

Cohen	Hayes	Phillips	Tully
Comstock	Hoffman	Pitcher	Tuthill, H. H.
Congdon	Howland	Potts	Varnum
Cookinham	Hurd	Rhodes	Warner
Costello	Husted	Roberts	Waterbury
Crapser	Ingersoll	Root	

Those who voted in the negative, were  
Carpenter, E. A. Curtis

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Russell
Andrews	Deane	Liddle	Sanders
Baker, B. F.	Dougherty	Lindsay	Sherman
Baker, C. S.	Douglass	Low	Shuit
Beach	Duell	McCabe	Sipp
Beates	Duguid	McCarthy	Sisson
Benedict, E. D.	Ellis	McDonald	Slingerland
Benedict, T. E.	Evans	Miller	Steele
Bradley	Ferris	Mitchell	Strait
Brennan	Fish	Mooers	Tallmadge
Bridges	Fiske	Morgan	Terry
Brodsky	Fitzgerald	Newman	Titus
Bullock	Gibbs	Nowlan	Tozier
Carpenter, E. A.	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	O'Connor	Treanor
Case	Gray	Parker	Tully
Catlin	Griggs	Peck	Tuthill, H. H.
Chickering	Grosse	Phillips	Varnum
Clark	Gwinup	Pitcher	Walsh
Clowes	Hayes	Potter	Warner
Comstock	Hoffman	Potts	Waterbury
Congdon	Howland	Rhodes	Wells, D. A.
Cookinham	Hurd	Roberts	Wells, J. L.
Costello	Ingersoll	Root	Wiley
Curtis	Kennedy		Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to abolish the office of marshal of the city of New York, and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

After debate,

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 34 }

Those who voted in the affirmative, were

Andrews	Comstock	Hurd	Seeley
Baker, B. F.	Congdon	Husted	Sherman
Baker, C. S.	Cookinham	Ingersoll	Shuit
Beach	Costello	Kennedy	Sipp
Beates	Crapser	Lefever	Sisson
Benedict, E. D.	Cullinan	Liddle	Slingerland
Benedict, T. E.	Cushing	Lindsay	Strait
Bradley	Davis	McCabe	Tallmadge
Brodsky	Deane	Mooers	Titus
Bullock	Duell	Morgan	Tozier
Carpenter, E. A.	Ellis	Nowlan	Travis
Case	Ferris	O'Brien	Tuthill, H. H.
Catlin	Fish	O'Connor	Walsh
Chamberlain	Gorsline	Phillips	Waterbury
Chase	Griggs	Pitcher	Wells, J. L.
Childs	Havens	Potter	Weston
Clowes	Hayes	Roberts	Wren
Cohen	Howland	Russell	Youngs

Those who voted in the negative, were

Alvord	Duguid	McDonald	Rhodes
Bennett	Fiske	McTernan	Root
Brennan	Gibbs	Mead	Sheridan
Carpenter, I. S.	Gillette	Miller	Thilemann
Chickering	Grosse	Mitchell	Treanor
Clancy	Gwinup	Newman	Tully
Clark	Hagan	Parker	Varnum
Curtis	Hoffman	Potts	Wiley
Dougherty	McCarthy		

Mr. Mitchell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 26 }  
{ NOES 66 }

Those who voted in the affirmative, were

Alvord	Dougherty	Hoffman	Parker
Baker, B. F.	Duguid	McAvoy	Potts

Benedict, T. E.	Fiske	McCarthy	Rhodes
Bennett	Fitzgerald	McDonald	Sherman
Brennan	Gillette	Miller	Thilemann
Chickering	Grosse	Mitchell	Treanor
Ourtis	Gwinup		

Those who voted in the negative, were

Andrews	Cullinan	Lindsay	Seeley
Baker, C. S.	Cushing	Low	Sipp
Beach	Davis	McCabe	Sisson
Beates	Deane	McTernan	Slingerland
Bradley	Duell	Mooers	Strait
Brodsky	Evans	Morgan	Terry
Carpenter, E. A.	Ferris	Newman	Titus
Carpenter, I. S.	Fish	Nowlan	Tozier
Case	Gorsline	O'Brien	Travis
Chase	Gray	O'Connor	Tuthill, H. H.
Childs	Griggs	Phillips	Varnum
Clark	Hayes	Pitcher	Walsh
Clowes	Hurd	Potter	Waterbury
Cohen	Husted	Roberts	Wells, J. L.
Comstock	Kennedy	Root	Weston
Congdon	Lefever	Russell	Youngs
Cookinham	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 294), entitled "An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York," reported for the same for the consideration of the House.

The following minority report was then read:

*To the Assembly:*

The undersigned, members of the committee on affairs of cities, hereby dissent from the report of Senate bill No. 395, entitled "An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York," for the consideration of the House.

Such report was agreed upon by a vote of four to two in committee, only six members of the committee being present. We respectfully recommend that said bill be rejected.

Respectfully submitted,

H. L. DUGUID,  
CHAS. S. BAKER,  
GEO. B. DEANE,  
FRANCIS P. TREANOR.

Dated *May* 17, 1880.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Childs (introductory No. 1210), entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" reported in favor of the passage of the same, with amendments, which



report was agreed to and said bill committed to the committee of the whole. Mr. Crapser dissenting.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the Senate bill, printed No. 36, entitled "An act conferring additional powers on the board of education of union free school district No. 1, of the town of Deerpark, Orange county, and granting additional privileges to said district," reported in favor of the passage of the same, with amendments and title amended, which report was agreed to.

On motion of Mr. Waterbury, and by unanimous consent, said bill was ordered to a third reading.

Mr. Childs moved to lay all order of business on the table for the purpose of taking up order of business general orders, for the purpose of considering Assembly bill entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

The Senate returned Senate bill entitled "An act in relation to the port and harbor of New York and the waters near the same," with a message that they have concurred in the conference committee report, and that they have reconsidered the vote on the final passage, and passed the bill with the following amendments:

Amend section 2 by adding at the end thereof: "That the prohibition to dump solid material in said port, harbor or river in this act contained, or to make and construct works to change and improve channels, shall not apply to works undertaken by the Government of the United States in the port and harbor of the city of New York."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cushing  
Davis

Lefever  
Liddle

Seeley  
Sheridan

Baker, B. F.	Deane	Lindsay	Sherman
Baker, C. S.	Dougherty	Low	Shuit
Beach	Douglass	McCarthy	Sipp
Beates	Duguid	McDonald	Sisson
Bradley	Evans	McTernan	Slingerland
Bridges	Ferris	Mead	Steele
Brodsky	Fish	Miller	Strait
Bullock	Fiske	Morgan	Tallmadge
Carpenter, E. A.	Fitzgerald	Newman	Terry
Carpenter, I. S.	Gibbs	Nowlan	Tozier
Case	Gillette	O'Brien	Travis
Catlin	Gorsline	Parker	Tully
Chamberlain	Gray	Peck	Tuthill, H. H.
Chase	Gwinup	Phillips	Varnum
Chickering	Hayes	Pitcher	Walsh
Clark	Hoffman	Potter	Warner
Clowes	Howland	Potts	Waterbury
Cohen	Hurd	Roberts	Wells, D. A.
Comstock	Husted	Root	Wells, J. L.
Congdon	Ingersoll	Russell	Weston
Cookinham	Kennedy	Sanders	Youngs
Curtis			

Those who voted in the negative, were  
Mitchell

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues, in the city of Brooklyn and county of Kings," with a message that the vote on the final passage of the bill was reconsidered, amendments of the Assembly non-concurred in, a committee of conference requested, and the following appointed as such committee on the part of the Senate : Messrs. Schroeder, Lord, and Jacobs.

Mr. Speaker announced as a committee of conference on the part of the Assembly Messrs. Tallmadge, Russell, E. A. Carpenter, Davis and Clancy.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" with a message that they do non-concur in the amendments of the Assembly to the within entitled bill, and request a committee of conference thereon, and have appointed as such committee on its part Messrs. Schroeder, Mills, and Murtha.

Mr. Speaker announced as a conference committee on the part of the Assembly Messrs. Lindsay, Comstock, E. A. Carpenter, Shanley, and Russell.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Mr. Sherman moved to reconsider the vote by which Assembly bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled

'An act to revise and consolidate the general acts relating to public instruction,' " was passed, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Mr. Alvord moved that this House do now take a recess until 4 P. M., and adjourn at 7 P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

At 2 o'clock the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

Alvord	Cohen	Havens	Seeley
Andrews	Congdon	Hoffman	Sherman
Baker, B. F.	Crapser	Howland	Shuit
Beates	Cullinan	Lefever	Tallmadge
Benedict, E. D.	Curtis	Liddle	Terpeny
Benedict, T. E.	Cushing	Low	Travis
Bennett	Deane	McCabe	Treanor
Bradley	Douglass	Mead	Tully
Brennan	Duell	Miller	Tuttle, R. M.
Bridges	Ellis	Mitchell	Warner
Brodsky	Evans	Mooers	Waterbury
Bullock	Ferris	Morgan	Wells, D. A.
Carpenter, I. S.	Fish	Newman	Wells, J. L.
Case	Fiske	O'Brien	Weston
Chickering	Fitzgerald	O'Connor	Wiley
Childs	Gorsline	Parker	Wren
Clancy	Gray	Potts	Youngs
Clark	Gwinup	Sanders	Mr. Speaker
Clowes			

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A quorum being present.

A message from the Senate was received in the words following :

IN SENATE, *May 20, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to change the name of, and in relation to, the Association for Befriending Children."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Bixby, and by unanimous consent, the title of the same was amended so as to read as follows :

"An act to change the name of the Association for Befriending Children to the Association for Befriending Children and Young Girls, and in relation to said association, and to provide for the support of the persons cared for by such association."

And as amended, passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Sanders
Andrews	Crapser	Lefever	Seeley
Baker, B. F.	Cullinan	Liddle	Sherman
Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Cushing	Low	Tallmadge
Beates	Davis	McAvoy	Terpeny
Benedict, E. D.	Deane	McCabe	Titus
Bennett	Douglass	Miller	Tozier
Bradley	Duell	Mitchell	Travis
Brennan	Ellis	Mooers	Treanor
Bridges	Ferris	Morgan	Tully
Brodsky	Fish	Newman	Tuthill, H. H.
Bullock	Fiske	Nowlan	Tuttle, R. M.
Carpenter, I. S.	Fitzgerald	Parker	Warner
Case	Gorsline	Phillips	Waterbury
Chickering	Gray	Pitcher	Wells, D. A.
Childs	Griggs	Potter	Wells, J. L.
Clark	Gwinup	Potts	Weston
Clowes	Havens	Rhodes	Wiley
Cohen	Hoffman	Roberts	Wren
Congdon	Howland	Root	Youngs
Cookinham	Ingersoll	Russell	

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Hoffman	Russell
Andrews	Cookinham	Howland	Sanders
Baker, B. F.	Costello	Kennedy	Seeley
Baker, C. S.	Crapser	Lefever	Sheridan
Beach	Cullinan	Liddle	Sherman
Beates	Curtis	Lindsay	Shuit
Benedict, E. D.	Cushing	Low	Sipp
Benedict, T. E.	Davis	McAvoy	Tallmadge
Bennett	Deane	McCabe	Terpeny
Bradley	Dougherty	Miller	Travis
Brennan	Douglass	Mitchell	Treanor
Bridges	Duguid	Mooers	Tully
Brodsky	Ellis	Morgan	Tuthill, H. H.
Bullock	Evans	Newman	Tuttle, R. M.
Carpenter, I. S.	Ferris	Nowlan	Warner
Case	Fish	Parker	Waterbury
Catlin	Fiske	Phillips	Wells, D. A.
Chickering	Fitzgerald	Pitcher	Wells, J. L.
Childs	Gorsline	Potter	Weston
Clancy	Gray	Rhodes	Wiley

Clark  
Clowes  
Cohen

Griggs  
Hagan

Roberts  
Root

Wren  
Youngs

Those who voted in the negative, were  
Potts

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act in relation to companies insuring steam boilers," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section after the word "is," in line 13 of section 1, and insert "incorporated, recognize the right of any company or companies organized under the laws of this State to do in such other state or country the business they are or may be authorized to do here."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Havens	Root
Andrews	Cookinham	Hoffman	Sanders
Baker, B. F.	Costello	Howland	Seeley
Baker, C. S.	Crapser	Kennedy	Sherman
Beach	Cullinan	Lefever	Shuit
Beates	Curtis	Liddle	Sipp
Benedict, E. D.	Cushing	Lindsay	Tallmadge
Benedict, T. E.	Davis	Low	Terpeny
Bradley	Deane	McAvoy	Thilemann
Brennan	Dougherty	McCabe	Titus
Bridges	Duell	Miller	Travis
Brodsky	Duguid	Mitchell	Treanor
Bullock	Ellis	Mooers	Tuthill, H. H.
Carpenter, I. S.	Evans	Morgan	Tuttle, R. M.
Case	Ferris	Newman	Warner
Oatlin	Fish	Nowlan	Waterbury
Chase	Fiske	Parker	Wells, D. A.
Chickering	Fitzgerald	Phillips	Wells, J. L.
Childs	Gorsline	Pitcher	Weston
Clancy	Gray	Potter	Wiley
Clark	Griggs	Potts	Wren
Clowes	Gwinup	Rhodes	Youngs
Cohen	Hagan	Roberts	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Sherman moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was passed.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Sheridan
Baker, B. F.	Cullinan	Liddle	Sherman
Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Cushing	Low	Sipp
Benedict, E. D.	Davis	McAvoy	Tallmadge
Benedict, T. E.	Deane	McCabe	Terpeny
Bradley	Duguid	Miller	Thilemann
Brennan	Evans	Mooers	Titus
Bridges	Ferris	Morgan	Tormey
Brodsky	Fish	Newman	Travis
Bullock	Fiske	Nowlan	Treanor
Carpenter, I. S.	Fitzgerald	O'Brien	Tuthill, H. H.
Case	Gorsline	Parker	Van Valkenburgh
Catlin	Gwinup	Phillips	Varnum
Chickering	Hagan	Pitcher	Warner
Childs	Havens	Potter	Waterbury
Clark	Hoffman	Potts	Wells, D. A.
Clowes	Howland	Rhodes	Wells, J. L.
Cohen	Hurd	Roberts	Weston
Congdon	Husted	Root	Wiley
Cookinham	Ingersoll	Sanders	Wren
Costello	Kennedy	Seeley	

On motion of Mr. Sherman, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1, after the word "follows" in the fourth line, and insert as follows: "Out of any moneys in the county treasury, and raised for contingent expenses, the treasurer shall pay to the trustees the amount of the taxes so returned as unpaid. And if there are no moneys in the treasury applicable to such purpose, the board of supervisors, at the time of levying said unpaid taxes as provided in the next section, shall pay to the trustees of the school district the amount thereof by voucher or draft on the county treasurer, in the same manner as other county charges are paid."

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 } .

Those who voted in the affirmative, were

Alvord	Cookinham	Hayes	Phillips
Andrews	Costello	Hoffman	Pitcher
Baker, B. F.	Crapser	Howland	Potts
Baker, C. S.	Cullinan	Hurd	Rhodes
Beach	Curtis	Husted	Roberts
Beates	Davis	Ingersoll	Root
Benedict, E. D.	Deane	Kennedy	Russell

Benedict, T. E.	Dougherty	Lefever	Sanders
Bennett	Douglass	Liddle	Sherman
Bradley	Duell	Low	Shuit
Brennan	Duguid	McCabe	Sipp
Bridges	Ellis	McCarthy	Tallmadge
Brotsky	Evans	McDonald	Terpeny
Bullock	Ferris	Miller	Titus
Carpenter, I. S.	Fish	Mitchell	Travis
Case	Fiske	Mooers	Tuthill, H. H.
Catlin	Fitzgerald	Newman	Van Valkenburgh
Chase	Gorsline	Nowlan	Warner
Chickering	Gray	O'Brien	Waterbury
Clark	Griggs	O'Connor	Wells, J. L.
Clowes	Gwinup	Parker	Weston
Comstock	Havens	Peck	Wiley
Congdon			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 20, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 23, entitled "An act to regulate voting by stock and bondholders of railroad corporations," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Russell
Andrews	Cullinan	Husted	Seeley
Baker, B. F.	Curtis	Ingersoll	Sherman
Baker, C. S.	Cushing	Kennedy	Shuit
Beach	Davis	Lefever	Sipp
Beates	Deane	Liddle	Sisson
Benedict, E. D.	Dougherty	Lindsay	Slingerland
Benedict, T. E.	Douglass	Low	Steele
Bennett	Duell	McAvoy	Tallmadge
Bradley	Duguid	McDonald	Terpeny
Brennan	Ellis	Miller	Terry
Bridges	Evans	Mitchell	Titus
Brotsky	Ferris	Nowlan	Travis
Bullock	Fish	O'Brien	Treanor
Carpenter, I. S.	Fiske	O'Connor	Tully
Catlin	Fitzgerald	Peck	Van Valkenburgh
Chickering	Gorsline	Phillips	Warner
Childs	Gray	Pitcher	Waterbury
Clark	Griggs	Potts	Wells, D. A.
Clowes	Gwinup	Rhodes	Wells, J. L.



Congdon  
Cookinham  
Costello

Hayes  
Hoffman  
Howland

Roberts  
Root

Weston  
Wiley

On motion of Mr. Duguid, and by unanimous consent, said bill was amended in words following:

Line 34, section 2, printed bill, after the word "who" insert the following, "knowingly or willfully."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Sanders
Andrews	Cullinan	Kennedy	Seeley
Baker, B. F.	Curtis	Lefever	Sheridan
Baker, C. S.	Cushing	Liddle	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Benedict, E. D.	Dougherty	McDonald	Slingerland
Bridges	Duell	Miller	Steele
Brodsky	Duguid	Mitchell	Tallmadge
Carpenter, I. S.	Ellis	Nowlan	Terry
Case	Evans	O'Brien	Titus
Catlin	Ferris	O'Connor	Tormey
Chamberlain	Fish	Peck	Tozier
Chickering	Fitzgerald	Phillips	Travis
Childs	Gorsline	Pitcher	Tully
Clark	Gray	Potter	Van Valkenburgh
Clowes	Gwinup	Potts	Warner
Cohen	Havens	Rhodes	Waterbury
Comstock	Hayes	Roberts	Wells, J. L.
Congdon	Hoffman	Root	Weston
Cookinham	Howland	Russell	Wiley
Costello	Hurd		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 965, printed No. 781, entitled "An act for the better protection of manufacturing interests," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 930, printed No. 762, entitled "An act in relation to rates of fare upon certain railroads," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, after the word "length" insert "and which propels its cars by steam."

To add as section 2 the following: "This act shall not apply to any railroad company which, by its charter or by any special act, is authorized to charge more than the amount herein mentioned."

Change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 927, printed No. 760, entitled "An act to organize a night medical service in the city of New York and to provide medical assistance in cases of sudden sickness or accident during the night time," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 872, printed No. 733, entitled "An act to amend chapter 252 of the Laws of 1879, entitled 'An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' " reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 733, printed No. 634, entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' " reported in favor of the passage of the same, with amendments as follows:

To add as section 2 the following: "The provisions of this act shall not apply to the counties of Westchester and Tompkins."

Change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 969, printed No. 789, entitled "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 1001, printed No. 357, entitled "An act for the relief of the Buffalo Surgical Infirmary," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 991, printed No. 402, entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 987, printed No. 312, entitled "An act to make effectual judicial decrees against unknown owners," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

The Senate returned Assembly bill entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," with a message that they do non-concur in the amendments of the Assembly to the within entitled bill, request a committee of conference thereon, and appoint as such committee on its part Messrs. Schroeder, Loomis and Murtha.

Mr. Speaker appointed as said committee on the part of the House Messrs. Wren, Lindsay, Gorsline, Newman and Tully.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Senate bill entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," with a message that they do not concur in the amendments of the Assembly in the within entitled bill, and request a committee of conference thereon, and appoint as such committee on its part Messrs. Murtha, Schroeder and Wendover.

Mr. Speaker appointed as such conference committee Messrs. Wren, Russell, Tormey, Cullinan and Varnum.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Senate bill entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

( AYES 97 )  
( NOES 1 )

Those who voted in the affirmative, were

Alvord	Cookinham	Hoffman	Sanders
Andrews	Costello	Howland	Seeley
Baker, B. F.	Crapser	Hurd	Sherman
Baker, C. S.	Cullinan	Husted	Shuit
Beach	Curtis	Ingersoll	Sipp
Beates	Cushing	Kennedy	Sisson
Benedict, E. D.	Davis	Lefever	Slingerland
Bennett	Deane	Liddle	Steele
Bradley	Douglass	Low	Strait
Brennan	Duell	McCabe	Tallmadge
Bridges	Duguid	McCarthy	Terpeny
Brodsky	Evans	Miller	Terry
Bullock	Ferris	Nowlan	Thilemann
Carpenter, E. A.	Fish	O'Brien	Titus
Carpenter, I. S.	Fiske	Parker	Tormey
Catlin	Fitzgerald	Peck	Tozier
Chamberlain	Gibbs	Phillips	Travis
Chase	Gillette	Pitcher	Tuthill, H. H.
Chickering	Gorsline	Potter	Van Valkenburgh
Childs	Gray	Potts	Warner
Clark	Griggs	Rhodes	Waterbury
Clowes	Gwinup	Roberts	Wells, J. L.
Cohen	Hagan	Root	Weston
Comstock	Hayes	Russell	Wiley
Congdon			

Those who voted in the negative, were

Treanor

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in cases of sudden sickness or accident during the night time," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes, and by unanimous consent, said bill was substituted for Assembly bill No. 780 on same subject.

Senate bill entitled "An act relative to the village of Athens, in Greene county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Seeley
Andrews	Cullinan	Ingersoll	Sherman
Baker, B. F.	Curtis	Kennedy	Shuit
Baker, C. S.	Cushing	Lefever	Sipp
Beach	Davis	Liddle	Sisson
Beates	Deane	Low	Slingerland
Benedict, T. E.	Dougherty	McAvoy	Steele
Bennett	Douglass	McCabe	Strait
Bradley	Duell	McCarthy	Tallmadge
Brennan	Duguid	McTernan	Terpeny
Bridges	Ellis	Miller	Terry
Brodsky	Ferris	Mitchell	Titus
Bullock	Fish	Newman	Tormey
Carpenter, I. S.	Fiske	Nowlan	Tozier
Case	Fitzgerald	O'Brien	Travis
Catlin	Gibbs	O'Connor	Treanor
Chamberlain	Gillette	Peck	Tully
Chase	Gorsline	Phillips	Tuthill, H. H.
Chickering	Gray	Pitcher	Van Valkenburgh
Childs	Griggs	Potter	Walsh
Clark	Gwinup	Potts	Varnum
Clowes	Hagan	Rhodes	Waterbury
Cohen	Hayes	Roberts	Wells, J. L.
Comstock	Hoffman	Root	Weston
Congdon	Howland	Russell	Wiley
Cookinham	Hurd	Sanders	Wren
Costello			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of the Attica and Arcade Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Hurd	Sanders
Andrews	Crapser	Husted	Seeley
Baker, B. F.	Cullinan	Ingersoll	Shuit
Baker, C. S.	Curtis	Kennedy	Sipp
Beach	Cushing	Lefever	Sisson
Beates	Davis	Liddle	Slingerland

Benediot, T. E.	Deane	Low	Steele
Bennett	Douglass	McAvoy	Strait
Brennan	Duell	McCabe	Tallmadge
Bridges	Duguid	McCarthy	Terpeny
Brodsky	Ellis	Miller	Terry
Bullock	Fish	Newman	Titus
Carpenter, I. S.	Fiske	Nowlan	Travis
Case	Fitzgerald	O'Brien	Treanor
Catlin	Gibbs	O'Connor	Tully
Chamberlain	Gillette	Parker	Tuthill, H. H.
Chase	Gorsline	Peck	Van Valkenburgh
Chickering	Gray	Phillips	Varnum
Childs	Griggs	Pitcher	Warner
Clark	Gwinup	Potter	Waterbury
Clowes	Hagan	Potts	Wells, J. L.
Cohen	Havens	Rhodes	Weston
Comstock	Hayes	Roberts	Wiley
Congdon	Hoffman	Root	Wren
Cookinham	Howland	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the regulation of international exhibitions, held under the supervision and auspices of the Government of the United States within the State of New York, and preventing seizure of articles and goods deposited on exhibition thereat," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Ingersoll	Russell
Andrews	Cullinan	Kennedy	Sanders
Baker, B. F.	Curtis	Lefever	Seeley
Baker, C. S.	Cushing	Liddle	Sherman
Beach	Davis	Low	Shuit
Beates	Deane	McAvoy	Sipp
Bennett	Dougherty	McCabe	Sisson
Bradley	Douglass	McCarthy	Slingerland
Brennan	Duell	Mead	Steele
Bridges	Duguid	Miller	Tallmadge
Brodsky	Ellis	Mitchell	Terpeny
Bullock	Ferris	Newman	Terry
Carpenter, E. A.	Fish	Nowlan	Titus
Carpenter, I. S.	Fiske	O'Brien	Travis
Catlin	Gorsline	O'Connor	Treanor
Chamberlain	Gray	Parker	Tuthill, H. H.
Chickering	Griggs	Peck	Van Valkenburgh
Clark	Gwinup	Phillips	Warner
Clowes	Havens	Pitcher	Waterbury
Cohen	Hayes	Potter	Wells, D. A.
Comstock	Hoffman	Potts	Wells, J. L.
Congdon	Howland	Rhodes	Weston
Cookinham	Hurd	Roberts	Wiley
Costello	Husted	Root	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 33 }

Those who voted in the affirmative, were

Alvord	Cullinan	Low	Shuit
Andrews	Cushing	McAvoy	Tallmadge
Baker, B. F.	Deane	McCabe	Terpeny
Baker, C. S.	Dougherty	Mead	Terry
Beach	Evans	Morgan	Thilemann
Beates	Ferris	Nowlan	Titus
Benedict, E. D.	Gibbs	O'Brien	Tozier
Bennett	Gillette	O'Connor	Travis
Bradley	Gorsline	Phillips	Tuthill, H. H.
Brodsky	Gray	Potter	Van Valkenburgh
Bullock	Hagan	Potts	Varnum
Catlin	Hayes	Roberts	Walsh
Clark	Hurd	Russell	Warner
Clowes	Husted	Sanders	Waterbury
Comstock	Ingersoll	Shanley	Wells, J. L.
Congdon	Kennedy	Sheridan	Weston
Cookinham	Lefever	Sherman	Wren
Costello	Lindsay		

Those who voted in the negative, were

Benedict, E. D.	Crapser	McDonald	Root
Brennan	Davis	McTernan	Seeley
Bridges	Ellis	Miller	Sipp
Carpenter, I. S.	Fish	Mitchell	Slingerland
Case	Fiske	Newman	Tormey
Chamberlain	Gwinup	Parker	Treanor
Chickering	Havens	Pitcher	Tully
Clanoy	Hoffman	Rhodes	Wiley
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act relating to leases of railroads and railroad property within the State."

"An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester.' "

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act

to authorize the formation of railroad corporations, and to regulate the same.”

“An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York.”

“An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York.”

“An act to authorize the Equity Gas Light Company of the Eastern District of the city of Brooklyn, to change its name.”

“An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties.”

“An act to incorporate the Metropolitan Merchandise Loan Company.”

“An act to provide for the revision of the local and special laws affecting public interests in the city of New York.”

“An act to amend chapter 555 of the Laws of 1864, entitled ‘An act to revise and consolidate the general acts relating to public instruction.’”

“An act to provide for lights at the crossings of streets by elevated railroads in the city of New York.”

“An act to provide for the rebuilding of the market known as Jefferson market, in the city of New York.”

“An act to repeal chapter 109 of the Laws of 1880, entitled “An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.”

“An act in relation to arrears of regular rents and charges for Croton water in the city of New York.”

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 20, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 544, entitled “An act to prevent interference with owners and captains of steamers engaged in the towing business,” is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lindsay	Sheridan
Andrews	Davis	Low	Sherman
Baker, B. F.	Deane	McAvoy	Shuit
Baker, C. S.	Dougherty	McCabe	Sipp
Beach	Douglass	McDonald	Tallmadge
Beates	Duell	McTernan	Terpeny
Benedict, E. D.	Evans	Mead	Terry
Bradley	Ferris	Miller	Thilemann



Brennan	Fish	Mitchell	Titus
Bridges	Fiske	Morgan	Tozier
Brodsky	Gibbs	Newman	Travis
Bullock	Gorsline	Nowlan	Treanor
Carpenter, I. S.	Gray	Parker	Tully
Catlin	Gwinup	Phillips	Tuthill, H. H.
Chickering	Havens	Pitcher	Van Valkenburgh
Childs	Hayes	Potter	Warner
Clark	Hoffman	Potts	Waterbury
Clowes	Howland	Rhodes	Wells, D. A.
Cohen	Hurd	Root	Wells, J. L.
Comstock	Husted	Russell	Weston
Congdon	Kennedy	Sanders	Wiley
Cookinham	Lefever	Shanley	Wren
Costello	Liddle		

On motion of Mr. Sheridan, and by unanimous consent, said bill was amended in words following:

Insert, in line 14, of engrossed bill, after the word "pilotage" the words "or quarantine."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Liddle	Shanley
Andrews	Cushing	Lindsay	Sheridan
Baker, B. F.	Davis	Low	Shuit
Baker, C. S.	Deane	McAvoy	Sipp
Beach	Douglass	McCabe	Slingerland
Beates	Duguid	Mead	Tallmadge
Benedict, E. D.	Evans	Miller	Terry
Benedict, T. E.	Ferris	Mitchell	Thilemann
Bradley	Fish	Morgan	Titus
Brennan	Fiske	Newman	Tozier
Bridges	Gibbs	Nowlan	Travis
Brodsky	Gorsline	O'Brien	Treanor
Bullock	Gray	O'Connor	Tully
Carpenter, E. A.	Griggs	Parker	Tuthill, H. H.
Carpenter, I. S.	Gwinup	Phillips	Van Valkenburgh
Case	Hagan	Pitcher	Warner
Catlin	Hayes	Potter	Waterbury
Chamberlain	Hoffman	Potts	Wells, D. A.
Chickering	Howland	Roberts	Wells, J. L.
Clark	Husted	Root	Weston
Clowes	Ingersoll	Russell	Wiley
Cohen	Kennedy	Sanders	Wren
Cookinham	Lefever	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Senate bill entitled "An act to incorporate the Knights of the Maccabees of the World," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 3 }

Those who voted in the affirmative, were

Andrews	Dougherty	McAvoy	Sipp
Baker, B. F.	Douglass	McCabe	Tallmadge
Baker, C. S.	Duell	Mead	Terpeny
Beach	Duguid	Miller	Terry
Beates	Ferris	Mooers	Thilemann
Benedict, E. D.	Fish	Morgan	Titus
Benedict, T. E.	Fiske	Newman	Tozier
Brennan	Gibbs	Nowlan	Travis
Brotsky	Gorsline	O'Brien	Treanor
Bullock	Gray	Parker	Tully
Carpenter, E. A.	Griggs	Phillips	Tuthill, H. H.
Chamberlain	Hagan	Potter	Van Valkenburgh
Chickering	Hayes	Roberts	Varnum
Clark	Howland	Root	Warner
Clowes	Hurd	Russell	Waterbury
Cohen	Ingersoll	Sanders	Wells, D. A.
Comstock	Kennedy	Seeley	Wells, J. L.
Costello	Lefever	Shanley	Weston
Curtis	Liddle	Sheridan	Wren
Davis	Lindsay	Shuit	Youngs
Deane			

Those who voted in the negative, were

Bradley	Evans	Potts
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the official acts of Henry G. Woods as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lefever	Shanley
Andrews	Curtis	Liddle	Sherman
Baker, B. F.	Cushing	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sipp
Beach	Deane	McAvoy	Slingerland
Beates	Duell	McCabe	Tallmadge
Benedict, E. D.	Duguid	Mead	Terpeny
Bennett	Evans	Miller	Terry
Bradley	Ferris	Mitchell	Thilemann
Bridges	Fish	Morgan	Titus
Brotsky	Fiske	Newman	Tozier
Bullock	Gibbs	Nowlan	Travis
Carpenter, E. A.	Gorsline	O'Brien	Treanor
Carpenter, I. S.	Gray	Parker	Tully
Catlin	Griggs	Phillips	Tuthill, H. H.
Chase	Gwinup	Potter	Warner

Chickering	Havens	Potts	Waterbury
Clancy	Hayes	Rhodes	Wells, D. A.
Clark	Hoffman	Roberts	Wells, J. L.
Clowes	Hurd	Root	Weston
Cohen	Husted	Russell	Wren
Comstock	Ingersoll	Sanders	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act relating to certain buildings erected for county purposes in, the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 104 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Husted	Russell
Andrews	Cushing	Ingersoll	Sanders
Baker, B. F.	Davis	Kennedy	Seeley
Baker, C. S.	Deane	Lefever	Sheridan
Beach	Dougherty	Liddle	Sherman
Beates	Douglass	Low	Shuit
Benedict, T. E.	Duell	McAvoy	Sipp
Bradley	Duguid	McCabe	Sisson
Brennan	Ellis	McCarthy	Slingerland
Bridges	Evans	McDonald	Steele
Brotsky	Ferris	Mead	Strait
Carpenter, E. A.	Fish	Miller	Terpeny
Carpenter, I. S.	Fiske	Mitchell	Terry
Case	Fitzgerald	Newman	Thilemann
Chamberlain	Gibbs	Nowlan	Titus
Chase	Gillette	O'Brien	Tormey
Chickering	Gorsline	O'Connor	Tozier
Clark	Gray	Parker	Treanor
Clowes	Griggs	Peck	Tully
Cohen	Gwinup	Phillips	Van Valkenburgh
Comstock	Hagan	Pitcher	Walsh
Congdon	Havens	Potter	Warner
Cookinham	Hayes	Potts	Waterbury
Costello	Hoffman	Rhodes	Wells, J. L.
Crapser	Howland	Roberts	Weston
Cullinan	Hurd	Root	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Rhodes
Andrews	Cookinham	Husted	Roberts
Baker, B. F.	Costello	Ingersoll	Root
Baker, C. S.	Crapser	Kennedy	Russell
Beach	Cullinan	Lefever	Sanders
Beates	Davis	Liddle	Seeley
Benedict, E. D.	Deane	Low	Shanley
Benedict, T. E.	Dougherty	McAvoy	Shuit
Bennett	Douglass	McCabe	Sipp
Bradley	Duell	McCarthy	Sisson
Brennan	Duguid	McDonald	Slingerland
Bridges	Ellis	Mead	Steele
Brodsky	Evans	Miller	Tallmadge
Bullock	Ferris	Mooers	Terpeny
Carpenter, E. A.	Fish	Morgan	Terry
Carpenter, I. S.	Fiske	Newman	Thilemann
Case	Gibbs	Nowlan	Tozier
Chamberlain	Gillette	O'Brien	Treanor
Chase	Gorsline	O'Connor	Tuthill, H. H.
Chickering	Gray	Peck	Walsh
Childs	Griggs	Phillips	Waterbury
Clark	Gwinup	Pitcher	Wells, J. L.
Clowes	Hayes	Potter	Weston
Cohen	Hoffman	Potts	Wren
Comstock	Howland		

Those who voted in the negative, were

Sherman	Titus	Warner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 590), entitled "An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 247), entitled "An act to provide a police force for Coney Island, and to enforce the various provisions of law to protect the shores of Coney Island and the waters adjacent thereto, and the bay of New York, from being made foul or offensive," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 327), entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hoffman, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Russell
Andrews	Curtis	Ingersoll	Sanders
Baker, B. F.	Davis	Kennedy	Seeley
Baker, C. S.	Deane	Lefever	Sherman
Beach	Dougherty	Liddle	Shuit
Beates	Douglass	Low	Sipp
Bradley	Duell	McAvoy	Sisson
Brennan	Duguid	McCabe	Slingerland
Bridges	Evans	McCarthy	Steele
Brodsky	Ferris	Miller	Strait
Bullock	Fish	Mitchell	Tallmadge
Carpenter, E. A.	Fiske	Mooers	Terpeny
Carpenter, I. S.	Fitzgerald	Newman	Terry
Case	Gibbs	Nowlan	Thilemann
Chamberlain	Gillette	O'Brien	Titus
Chickering	Gorsline	O'Connor	Tozier
Childs	Gray	Peck	Travis
Clark	Griggs	Phillips	Treanor
Clowes	Gwinup	Pitcher	Tully
Cohen	Hagan	Potter	Van Valkenburgh
Comstock	Hayes	Potts	Waterbury
Congdon	Hoffman	Rhodes	Weston
Cookinham	Howland	Roberts	Wren
Crapser	Hurd	Root	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate Concurrent Resolutions "Proposing an amendment to section 12 of article 6 of the Constitution," were read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said Concurrent Resolutions, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lindsay	Seeley
Andrews	Douglass	Low	Shanley
Baker, B. F.	Duell	McAvoy	Sheridan
Baker, C. S.	Duguid	McCabe	Sherman
Beates	Evans	McCarthy	Shuit
Benedict, E. D.	Ferris	McDonald	Sipp
Bennett	Fish	Miller	Sisson
Brennan	Ferris	Mooers	Slingerland
Bridges	Gibbs	Morgan	Steele
Brodsky	Gillette	Newman	Terpeny
Bullock	Gorsline	Nowlan	Terry

Carpenter, E. A.	Gray	O'Brien	Titus
Carpenter, I. S.	Griggs	O'Connor	Tozier
Chase	Hayes	Parker	Travis
Chickering	Hoffman	Phillips	Treanor
Childs	Howland	Pitcher	Tully
Clowes	Hurd	Potter	Tuthill, H. H.
Comstock	Husted	Potts	Waterbury
Congdon	Ingersoll	Roberts	Wells, J. L.
Cookinham	Kennedy	Root	Weston
Davis	Lefever	Russell	Wiley
Deane	Liddle	Sanders	Wren

*Ordered*, That the Clerk return said Concurrent Resolutions to the Senate, with a message informing of concurrence therein.

Senate bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" being announced for a third reading,

Mr. Travis moved to recommit said bill to the committee on commerce and navigation, with instructions to amend the same in words following:

Add at end of section 2: "But this act shall not be construed so as to authorize any such corporation to reclaim or in any way whatever to interfere with the reef commonly known as Robbins' reef, or any part thereof, or within 500 feet of said reef."

Mr. Fiske moved to recommit said bill to the committee on commerce and navigation, with instructions to substitute for said amendment of Mr. Travis' the following:

Section 3. This act shall not apply to any lands under water in or adjacent to the bay or harbor of the city of New York.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Fiske, and it was determined in the affirmative.

{ AYES 52 }  
{ NOES 19 }

Those who voted in the affirmative, were

Beach	Congdon	Gwinup	Potts
Bradley	Cookinham	Hoffman	Sanders
Brennan	Costello	Kennedy	Seeley
Brodsky	Curtis	Low	Shuit
Bullock	Cushing	McAvoy	Sipp
Carpenter, E. A.	Deane	McDonald	Slingerland
Carpenter, I. S.	Duguid	Miller	Terpeny
Chamberlain	Evans	Mitchell	Thilemann
Chickering	Ferris	Mooers	Treanor
Clancy	Fish	Nowlan	Tuthill, H. H.
Clark	Fiske	Parker	Varnum
Clowes	Fitzgerald	Phillips	Waterbury
Cohen	Gorsline	Potter	Wells, J. L.

Those who voted in the negative, were

Alvord	Liddle	Sheridan	Tozier
Baker, B. F.	Newman	Sherman	Tully
Benedict, E. D.	O'Connor	Tallmadge	Walsh
Crapser	Root	Terry	Wren
Lefever	Shanley	Tormey	

Mr. Duguid, from the committee on commerce and navigation, reported said bill back, amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill. and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 27 }  
{ NOES 57 }

Those who voted in the affirmative, were

Alvord	Comstock	McCarthy	Tormey
Baker, B. F.	Costello	McTernan	Tozier
Benedict, E. D.	Davis	Newman	Travis
Benedict, T. E.	Gwinup	Parker	Tully
Clancy	Havens	Shanley	Walsh
Clowes	Lefever	Sheridan	Youngs
Cohen	Liddle	Terry	

Those who voted in the negative, were

Beach	Curtis	Lindsay	Root
Bennett	Cushing	Low	Seeley
Bradley	Deane	McAvoy	Sipp
Brennan	Dougherty	McDonald	Slingerland
Brotsky	Douglass	Miller	Strait
Bullock	Duguid	Mitchell	Tallmadge
Carpenter, E. A.	Fish	Mooers	Terpeny
Carpenter, I. S.	Fiske	Morgan	Thilemann
Chamberlain	Fitzgerald	Nowlan	Treanor
Chickering	Gorsline	O'Connor	Tuthill, H. H.
Childs	Griggs	Potter	Varnum
Clark	Grosse	Potts	Waterbury
Congdon	Hagan	Rhodes	Wells, J. L.
Cookinham	Hoffman	Roberts	Mr. Speaker
Crapser			

Mr. Travis moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Case introduced a bill entitled "An act to legalize the official acts and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield, in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

Mr. Case moved to lay all order of business on the table for the purpose of taking up order of business general orders, and considering the above-named bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the official act and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield in the county of Ontario."

And after some time spent therein, Mr. Speaker resumed the chair,



and Mr. Chickering, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The committee of conference appointed by the Senate and Assembly in relation to Assembly bill No. 69, entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes in relation to elections and ballots," having met and considered the same, have agreed to recommend that the Assembly concur in amendments made by the Senate to the title of the bill, viz.: That such title be amended so as to read as follows: "An act to amend title 4, chapter 6, part 1 of the Revised Statutes, entitled 'Of the manner of conducting elections.'"

That section 1 be changed so as to read as follows:

Section 1, subdivision 1 of section 9, article 2, title 4, chapter 6, part 1 of the Revised Statutes is hereby amended so as to read as follows:

Section 1. The names of all persons voted for by any elector at any election, in whose election all of the voters of the State have the right alike to participate, except electors of President and Vice-President, and chief judge, and associate judges of the Court of Appeals, shall be upon one ballot, which ballot shall be indorsed "State." The names of all persons voted for by any elector at any election for chief judge and associate judge of the Court of Appeals, justices of the Supreme Court, county judge, separate officers to perform the duties of surrogate, local officers to perform the duties of county judges and surrogate, and all other judges or justices, except such as are elected in and for a district which comprises less than an entire county (or city whose boundaries are co-terminous with those of a county), shall be upon one ballot, which ballot shall be indorsed "judiciary." The names of the persons voted for by any elector at any election for any local office, in whose election all of the voters of a county have the right alike to participate, except representatives in Congress, senators, and members of Assembly, shall be upon one ballot, which ballot shall be indorsed "county;" but where the boundaries of a city and county shall be co-terminous then all city or county officers, in whose election all the voters of said city and county have the right alike to participate, except judges or justices as aforesaid, shall be upon one ballot, which ballot shall be indorsed "city and county."

That section 2 be amended as follows: After the word "county," in the 8th line of the printed bill, insert the words "or city and county."

At the end of the section add the following: "At any election at which any officers are to be voted for, upon ballots not otherwise in this section provided for, there shall be provided as many additional boxes as there are additional kinds of ballots required."

That section 3 be amended so as to read as follows, viz.:

§ 3. So much of chapter 675 of the Laws of 1872, entitled "An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat," as is inconsistent with the pro-

visions of this act, and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

All of which are respectfully submitted.

ROBERT H. STRAHAN,

EDWIN G. HALBERT,

*Senate Committee.*

DANIEL LINDSAY,

JAMES M. VARNUM,

CHARLES H. RUSSELL,

P. W. CULLINAN,

H. C. HOFFMAN,

*Assembly Committee.*

Mr. Shanley moved to disagree with the conference committee report, and asked the appointment of a new conference committee on said bill, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 26 }  
{ NOES 75 }

Those who voted in the affirmative, were.

Benedict, T. E.	Fitzgerald	O'Connor	Thilemann
Bennett	Gibbs	Parker	Tormey
Clancy	Havens	Rhodes	Treanor
Cohen	McAvoy	Russell	Tully
Costello	McCarthy	Shanley	Walsh
Cushing	McDonald	Terpeny	Wiley
Dougherty	Newman		

Those who voted in the negative, were

Alvord	Cookinham	Hurd	Seeley
Baker, B. F.	Crapser	Husted	Sherman
Baker, C. S.	Cullinan	Ingersoll	Shuit
Beach	Curtis	Kennedy	Sipp
Beates	Davis	Lefever	Slingerland
Bradley	Deane	Liddle	Steele
Brennan	Douglass	Lindsay	Tallmadge
Bridges	Duell	Low	Titus
Brodsky	Duguid	McCabe	Tozier
Bullock	Evans	Miller	Travis
Carpenter, E. A.	Ferris	Mitchell	Tuthill, H. H.
Carpenter, I. S.	Fish	Mooers	Van Valkenburgh
Case	Gorsline	Morgan	Varnum
Chamberlain	Gray	Nowlan	Waterbury
Chickering	Grosse	Phillips	Wells, J. L.
Childs	Gwinup	Pitcher	Weston
Clark	Hayes	Potts	Wren
Comstock	Hoffman	Roberts	Youngs
Congdon	Howland	Root	

Mr. Varnum moved to concur in the report of the committee of conference.

Mr. Speaker put the question whether the House would agree to the motion to concur in said report of the conference committee, and it was determined in the affirmative.

{ AYES 70 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sherman
Baker, B. F.	Curtis	Liddle	Shuit

Beach	Davis	Lindsay	Sipp
Beates	Deane	Low	Slingerland
Bradley	Douglass	McCabe	Steele
Brennan	Duell	Miller	Tallmadge
Bridges	Duguid	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Bullock	Fish	Nowlan	Travis
Carpenter, E. A.	Gorsline	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gray	Pitcher	Van Valkenburgh
Chickering	Hayes	Potts	Varnum
Childs	Hoffman	Roberts	Waterbury
Clark	Howland	Root	Wells, D. A.
Clowes	Hurd	Russell	Wells, J. L.
Comstock	Husted	Sanders	Weston
Congdon	Ingersoll	Seeley	Wren
Cookinham	Kennedy		

Those who voted in the negative, were

Benedict, T. E.	Dougherty	McDonald	Terpeny
Bennett	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Newman	Tormey
Clancy	Havens	Parker	Treanor
Cohen	McAvoy	Rhodes	Walsh
Costello	McCarthy	Shanley	Wiley
Cushing			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee thereon.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor, for amendment, the following bills:

Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business."

Assembly bill No. 23, general orders No. 21, entitled "An act to regulate voting by stock and bondholders of railroad corporations."

Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies."

Assembly bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

Assembly bills Nos. 107, 376, 436 and 509, entitled, respectively, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game;'" "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879;'" "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game, passed June 20, 1879;'" "An act to prevent fishing with nets in a part of the waters of Lake Ontario," for amendment and consolidation.

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled "An act in relation to 107th street, between 5th and 6th avenues, in the city of New York."

*Ordered*, That the Clerk deliver said bill to the Governor.

The hour of seven having arrived, the House adjourned until tomorrow morning.

## . FRIDAY MORNING, MAY 21, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Foster Ely, of Lockport.

The journal of yesterday was read and approved.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

*Resolved*, That when this House adjourns to-day, it will adjourn to meet on Monday at 8 p. m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 55 }  
{ NOES 43 }

Those who voted in the affirmative, were

Andrews	Cushing	Lindsay	Sipp
Baker, C. S.	Deane	Low	Sisson
Beach	Duguid	McAvoy	Slingerland
Benedict, E. D.	Eyans	McCabe	Terry
Bradley	Ferris	McTernan	Titus
Brotsky	Fish	Miller	Tormey
Carpenter, I. S.	Fitzgerald	Morgan	Travis
Catlin	Gorsline	O'Connor	Treanor
Chase	Gray	Peck	Tully
Childs	Grosse	Pitcher	Waterbury
Clancy	Hagan	Rhodes	Wells, J. L.
Cohen	Hoffman	Root	Weston
Costello	Howland	Russell	Youngs
Cullinan	Hurd	Sherman	

Those who voted in the negative, were

Alvord	Comstock	Kennedy	Seeley
Beates	Cookinham	Lefever	Shanley
Benedict, T. E.	Crapser	Mead	Sheridan
Bennett	Curtis	Mooers	Tallmadge
Bridges,	Davis	Nowlan	Terpeny
Bullock	Dougherty	O'Brien	Tozier
Carpenter, E. A.	Fiske	Parker	Tuthill, H. H.
Case	Gwinup	Phillips	Wells, D. A.
Chickering	Havens	Potts	Wren
Clark	Hayes	Roberts	Mr. Speaker
Clowes	Ingersoll	Sanders	

On motion of Mr. Newman, in behalf of Mr. Case, and by unanimous consent, Assembly bill entitled "An act to legalize the official acts and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield, in the county of Ontario," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Shanley
Andrews	Costello	Low	Sheridan

Baker, C. S.	Crapser	McAvoy	Sherman
Beach	Cullinan	McCabe	Sipp
Beates	Cushing	McTernan	Sisson
Benedict, E. D.	Davis	Mead	Tallmadge
Bennett	Deane	Miller	Terpeny
Bradley	Duguid	Mooers	Terry
Brennan	Evans	Newman	Titus
Bridges	Fish	Nowlan	Tormey
Brodsky	Fiske	O'Brien	Tozier
Bullock	Fitzgerald	O'Connor	Travis
Carpenter, E. A.	Gorsline	Parker	Treanor
Carpenter, I. S.	Gray	Peck	Tully
Case	Griggs	Phillips	Tuthill, H. H.
Catlin	Gwinup	Pitcher	Warner
Chase	Havens	Potts	Waterbury
Childs	Hayes	Rhodes	Wells, D. A.
Clark	Howland	Roberts	Wells, J. L.
Clowes	Hurd	Root	Weston
Cohen	Ingersoll	Russell	Wren
Comstock	Kennedy	Seeley	Youngs
Congdon	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act making an appropriation for repairs to the State arsenal at Albany, and the military property stored therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

"An act for the relief of the Emigrant Industrial Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the better laying out and improving of that portion of the city of New York, between 10th avenue and Avenue St. Nicholas and 138th street continued, and the lands of the Academy of the Sacred Heart and 135th street continued," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dougherty, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act to increase the compensation of the justices of the Supreme Court of the third judicial district of this State, and to levy the same upon the counties comprising said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the publication of a list of regular physicians in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to extend the operation and effect of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the acts amending and extending the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act in relation to the clerk and register of deeds of the city and county of New York," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on affairs of cities.

“An act to authorize the improvement of Riverside park and certain other parks or places in the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act enabling any corporation created by act of Congress of the United States to acquire, hold, use and improve real estate for the purposes of an international exhibition,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend chapter 824 of the Laws of 1873, entitled ‘An act to amend section 19 of chapter 570 of the Laws of 1872, entitled ‘An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York, and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled ‘An act to amend an act entitled ‘An act in relation to elections in the city and county of New York,’ ” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend chapter 398 of the Laws of 1871, entitled ‘An act in relation to the improvement of the 1st avenue in the city of New York,’ ” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act to amend chapter 461 of the Laws of 1869, entitled ‘An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,’ ” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act establishing the salary of county judge of the county of Niagara,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise,” which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

“An act to amend chapter 320 of the Laws of 1859, entitled ‘An act to amend the incorporation of the village of Lancaster, in the county of Erie,’ ” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hurd, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

“An act for the relief of John C. Ham,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

“An act to amend chapter 253 of the Laws of 1877, entitled ‘An act to amend chapter 107 of the Laws of 1877, entitled ‘An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,’ ” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was substituted for Assembly bill No. 512 on same subject.



The committee of conference to which was referred the matter of difference between the two Houses respecting Senate bill No. 137, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" report as follows :

The Assembly recedes from their amendment, striking out the following words in section 1, viz.: "Cartmen, truckmen, cabmen, expressmen;" also, the words "vehicles of every description used on the public streets in the conduct or carrying on of any business established and transacted in said city."

The following amendments were also agreed to, viz.: Insert after the word "business," in line 19, the words "except that of physicians;" also, after the word "city," same line, the words "provided that the license fee charged for any one vehicle shall not exceed three dollars per year;" also, insert in the same section, as amended by the Assembly, the word "average" before the word "number" wherever occurring.

The second section, as amended by the Assembly, was agreed to. Messrs. Murtha and Shanley dissenting.

All of which is respectfully submitted.

F. A. SCHROEDER,  
A. M. MILLS,  
W. H. MURTHA,  
*Senate committee.*

DAVID LINDSAY,  
E. A. CARPENTER,  
A. C. COMSTOCK,  
JOHN SHANLEY,  
CHARLES H. RUSSELL,  
*Assembly committee.*

Mr. Shanley moved to disagree with the report of the committee of conference, and that a new conference committee be appointed on the part of the House and request a like committee on the part of the Senate.

After debate,

Mr. E. A. Carpenter moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 65 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sherman
Baker, B. F.	Cookinham	Lefever	Shuit
Baker, C. S.	Crapser	Liddle	Sisson
Beach	Cullinan	Low	Slingerland
Beates	Curtis	Miller	Terry
Bradley	Davis	Mitchell	Tozier
Bridges	Deane	Mooers	Travis
Brodsky	Duguid	Morgan	Tuthill, H. H.
Bullock	Evans	Nowlan	Varnum
Carpenter, E. A.	Ferris	Peck	Warner
Carpenter, I. S.	Fish	Pitcher	Waterbury
Chamberlain	Gorsline	Potts	Wells, D. A.
Chase	Griggs	Roberts	Wells, J. L.
Chickering	Hayes	Root	Wren
Childs	Howland	Russell	Youngs
Clark	Hurd	Seeley	Mr. Speaker
Comstock			



Those who voted in the negative, were

Benedict, E. D.	Fitzgerald	McCarthy	Shanley
Benedict, T. E.	Gibbs	McDonald	Sheridan
Catlin	Grosse	McTernan	Thilemann
Clancy	Gwinup	Mead	Tormey
Cohen	Havens	Newman	Treanor
Costello	Hoffman	Parker	Tully
Cushing	McAvoy	Rhodes	Walsh
Dougherty			

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 27 }  
{ NOES 57 }

Those who voted in the affirmative, were

Benedict, E. D.	Fitzgerald	McDonald	Thilemann
Benedict, T. E.	Gibbs	McTernan	Tormey
Bennett	Grosse	Mead	Treanor
Clancy	Gwinup	Newman	Tully
Cohen	Havens	O'Connor	Walsh
Costello	Hoffman	Rhodes	Wiley
Cushing	McAvoy	Shanley	

Those who voted in the negative, were

Alvord	Congdon	Liddle	Sanders
Beach	Cookinham	Lindsay	Sherman
Beates	Curtis	McCabe	Sisson
Bradley	Deane	Miller	Slingerland
Bridges	Duguid	Mitchell	Terry
Bullock	Evans	Mooers	Titus
Carpenter, E. A.	Ferris	Morgan	Travis
Carpenter, I. S.	Fish	Nowlan	Tuthill, H. H.
Catlin	Gillette	Phillips	Varnum
Chamberlain	Gorsline	Pitcher	Warner
Chase	Griggs	Potts	Waterbury
Chickering	Hurd	Roberts	Wells, D. A.
Childs	Husted	Root	Wells, J. L.
Clark	Ingersoll	Russell	Wren
Comstock			

Mr. Speaker then put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Seeley
Baker, B. F.	Congdon	Ingersoll	Sherman
Baker, C. S.	Cookinham	Lefever	Shuit
Beach	Crapser	Liddle	Sisson
Beates	Cullinan	Lindsay	Slingerland
Bradley	Curtis	Low	Tallmadge
Bridges	Davis	McCabe	Terry
Brodsky	Deane	Miller	Titus
Bullock	Duguid	Mitchell	Tozier
Carpenter, E. A.	Evans	Mooers	Travis

Carpenter, I. S.	Ferris	Morgan	Tuthill, H. H.
Case	Fish	Nowlan	Varnum
Chamberlain	Gorsline	Peck	Warner
Chase	Gray	Pitcher	Wells, D. A.
Chickering	Griggs	Potts	Wells, J. L.
Childs	Hayes	Roberts	Weston
Clarke	Howland	Root	Wren
Clark	Hurd	Russell	Youngs

Those who voted in the negative, were

Benedict, E. D.	Dougherty	Hoffman	Parker
Benedict, T. E.	Fitzgerald	McAvoy	Rhodes
Bennett	Gibbs	McDonald	Shanley
Catlin	Grosse	McTernan	Tully
Cohen	Gwinup	Mead	Walsh
Costello	Hagan	Newman	Wiley
Cushing	Havens	O'Connor	

*Ordered*, That the Clerk return said bill to the Senate with a message informing that the Assembly have concurred in the report of the conference committee thereon.

The Senate returned the bill entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," with a message that they had passed the same, with the following amendments:

Strike out all after the enacting clause and insert as follows:

Section 1. The court of common pleas in and for the city and county of New York, or any judge thereof may, on application of Catharine M. Noonan, committee of Margaret Noonan, an idiot, authorize and direct the filing of a bond by her, as such committee, in conformity with the requirements of section 2 of chapter 417 of the Laws of 1864. Such bond to be filed as of November 22, 1871, the date of the application of said Catharine M. Noonan for leave to sell or dispose of the real estate of said Margaret Noonan, an idiot, which bond and all subsequent orders and decrees on the application to sell or dispose of the real estate of Margaret Noonan, an idiot, subsequent to the date of such application, shall have the like force and effect as if such bond had been directed by the court and duly executed and filed by the said Catharine M. Noonan, as committee of Margaret Noonan, an idiot, at the date of the aforesaid application.

§ 2. This act shall take effect immediately.

Amend title so as to read as follows:

"An act in relation to the real estate of Margaret Noonan, an idiot."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	McAvoy	Shuit
Baker, B. F.	Deane	McCabe	Sisson
Baker, C. S.	Dougherty	McCarthy	Slingerland
Beach	Douglass	Miller	Steele
Beates	Duguid	Mooers	Tallmadge
Benedict, E. D.	Evans	Morgan	Terry
Bridges	Ferris	Newman	Tormey
Brodsky	Fish	Nowlan	Tozier
Bullock	Gillette	Peck	Travis

**MAY 21.]**

**1891**

Carpenter, E. A.	Gorsline	Pitcher	Tuthill, H. H.
Carpenter, I. S.	Hayes	Potts	Varnum
Case	Hurd	Roberts	Warner
Catlin	Husted	Root	Waterbury
Clark	Ingersoll	Russell	Wells, D. A.
Comstock	Kennedy	Sanders	Wells, J. L.
Cookinham	Lefever	Seeley	Weston
Costello	Liddle	Shanley	Wiley
Cullinan	Lindsay	Sheridan	Wren
Curtis	Low	Sherman	Youngs
Cushing			

Those who voted in the negative, were  
Grosse

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 20, 1880.* }

*To the Assembly :*

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Howland	Root
Baker, B. F.	Curtis	Hurd	Russell
Baker, C. S.	Davis	Husted	Sanders
Beach	Deane	Ingersoll	Seeley
Beates	Dougherty	Kennedy	Sherman
Benedict, E. D.	Douglass	Lefever	Shuit
Bradley	Duell	Liddle	Sipp
Brennan	Duguid	Lindsay	Sisson
Bridges	Ellis	Low	Slingerland
Brodsky	Evans	McAvoy	Steele
Bullock	Ferris	McDonald	Tallmadge
Carpenter, E. A.	Fish	Miller	Terpeny
Carpenter, I. S.	Fiske	Mitchell	Titus
Catlin	Fitzgerald	Mooers	Tozier
Chamberlain	Gibbs	Morgan	Travis
Chase	Gillette	Nowlan	Tuthill, H. H.
Chickering	Gorsline	O'Brien	Varnum
Childs	Gray	Peck	Warner
Clark	Griggs	Phillips	Waterbury
Clowes	Gwinup	Pitcher	Wells, D. A.
Comstock	Hayes	Potts	Wells, J. L.
Congdon	Hoffman	Roberts	Weston
Cookinham			

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following :

Section 1. Strike out all after the words "this State" in line 2 to and including the words "this State" in line 3; line 6, after the word "income," insert the words "exclusive of rents;" line 7, after the word "company," strike out the words "from business transacted" and insert the words "from persons residing in, or investments made;" line 9, strike out all after the word "money."

Section 2, in line 4, after the word "premiums" insert the words "interest and other income," and after the word "company" insert the words "from residents or investments made." Strike out all down to and including the words "forfeited and," in line 6, and insert the following: "If any officer of any life insurance company, required by the preceding section to make and execute a return, shall refuse or willfully neglect to make or execute the same, such officer shall be guilty of a misdemeanor, and any such officer who in such return shall make a willfull false statement shall be subject to the pains and penalties of perjury;" line 11, strike out the words "such sums forfeited as aforesaid and."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lindsay	Sheridan
Andrews	Cullinan	Low	Sherman
Baker, B. F.	Curtis	McAvoy	Shuit
Baker, C. S.	Davis	McCabe	Sipp
Beach	Deane	Miller	Sisson
Beates	Douglass	Mooers	Slingerland
Bradley	Duell	Morgan	Steele
Brennan	Duguid	Newman	Tallmadge
Bridges	Evans	Nowlan	Terry
Brodsky	Ferris	O'Brien	Titus
Bullock	Fish	Peck	Tozier
Carpenter, E. A.	Fitzgerald	Phillips	Travis
Carpenter, I. S.	Gorsline	Pitcher	Tully
Case	Griggs	Potter	Tuthill, H. H.
Chamberlain	Gwinup	Potts	Warner
Chase	Hoffman	Roberts	Waterbury
Chickering	Howland	Root	Wells, D. A.
Childs	Hurd	Russell	Wells, J. L.
Clark	Ingersoll	Sanders	Weston
Olowes	Kennedy	Seeley	Wren
Comstock	Lefever	Shanley	Youngs
Congdon	Liddle		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. E. A. Carpenter moved to reconsider the vote by which Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" was passed.

Mr. E. A. Carpenter moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

**MAY 21.]**

**1693**

**{ AYES 79 }**  
**{ NOES 28 }**

**Those who voted in the affirmative, were**

Alvord	Congdon	Lefever	Sherman
Baker, B. F.	Cookinham	Liddle	Shuit
Baker, C. S.	Cullinan	Lindsay	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McCabe	Slingerland
Bradley	Douglass	Miller	Tallmadge
Brennan	Duguid	Mooers	Terry
Bridges	Evans	Morgan	Titus
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fish	O'Brien	Travis
Carpenter, E. A.	Gillette	Peck	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Phillips	Varnum
Case	Gray	Pitcher	Warner
Chamberlain	Griggs	Potter	Waterbury
Chase	Hayes	Potts	Wells, D. A.
Chickering	Howland	Roberts	Wells, J. L.
Childs	Hurd	Root	Weston
Clark	Husted	Russell	Wren
Clowes	Ingersoll	Sanders	Mr. Speaker
Comstock	Kennedy	Seeley	

**Those who voted in the negative, were**

Benedict, E. D.	Dougherty	McCarthy	Shanley
Bennett	Fitzgerald	McDonald	Sheridan
Catlin	Gibbs	McTernan	Thilemann
Clancy	Hagan	Mead	Tormey
Cohen	Havens	Newman	Treanor
Costello	Hoffman	O'Connor	Tully
Cushing	McAvoy	Rhodes	Walsh

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

**{ AYES 29 }**  
**{ NOES 84 }**

**Those who voted in the affirmative, were**

Benedict, T. E.	Fitzgerald	McCarthy	Shanley
Bennett	Gibbs	McDonald	Strait
Catlin	Grosse	McTernan	Tormey
Clancy	Gwinup	Newman	Treanor
Cohen	Havens	O'Connor	Tully
Costello	Hoffman	Parker	Walsh
Cushing	McAvoy	Rhodes	Wiley
Dougherty			

**Those who voted in the negative, were**

Alvord	Congdon	Husted	Sanders
Andrews	Cookinham	Ingersoll	Seeley
Baker, B. F.	Crapser	Kennedy	Sheridan
Baker, C. S.	Cullinan	Lefever	Sherman
Beach	Curtis	Liddle	Shuit
Beates	Davis	Lindsay	Sipp
Bradley	Deane	Low	Sisson
Brennan	Douglass	Miller	Slingerland

Bridges	Duell	Mitchell	Tallmadge
Brodsky	Duguid	Mooers	Terry
Bullock	Evans	Morgan	Titus
Carpenter, E. A.	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	O'Brien	Travis
Case	Fiske	Peck	Tuthill, H. H.
Chamberlain	Gillette	Phillips	Tuttle, R. M.
Chase	Gorsline	Pitcher	Warner
Chickering	Gray	Potter	Waterbury
Childs	Griggs	Potts	Wells, D. A.
Clark	Hayes	Roberts	Wells, J. L.
Clowes	Howland	Root	Weston
Coomstock	Hurd	Russell	Wren

The committee of conference to whom was referred Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance, or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," have met and agreed to report the same amended as follows:

Strike out all after the enacting clause and insert as follows:

Section 1. Section 4, chapter 606 of the Laws of 1875, entitled "An act to further provide for the construction and operation of a steam railway or railways in the counties of the State," is hereby amended so as to read as follows:

§ 4. Said commissioners shall, within thirty days after such organization, determine upon the necessity of such steam railway or railways, and if they find such railway or railways to be necessary in such county, they shall, within sixty days after such organization, fix and determine the route or routes for such steam railway or railways, and the said commissioners shall have the exclusive power to locate the route or routes of such railway or railways, over, under, through or across the streets, avenues, places or lands in such county, "except Broadway and 5th avenue below 49th street, and 4th avenue above 42d street, in the city of New York, and except over, under, through or across those portions of Grand, Classon and Franklin avenues in the city of Brooklyn lying between the southerly line of Lexington avenue and the northerly line of Atlantic avenue, and over, under, through or across that portion of Classon avenue in said city lying between the northerly line of Lexington avenue and the southerly line of Park avenue," and except such portion of streets and avenues as are already legally authorized for or occupied by an elevated or underground railway, and except such as are contained in public parks or occupied by buildings belonging to such county, or to this State, or to the United States, and except that portion of the city of Buffalo lying between Michigan and Main streets; and to provide for the connection or junction with any other railway or bridge. Provided, that the consent of the owners of one-half in value of the property bounded on, and the consent also of the local authorities having the control of that portion of a street or highway upon which it is proposed to construct or operate such railway or railways, be first obtained, or in case the consent of such property owners cannot be obtained that the determination of three commissioners, appointed by the general term of the Supreme Court in the district of the proposed construction, given after a due hearing of all parties interested and confirmed by the court, that such railway or railways ought to be constructed or operated, be taken in lieu of the consent of such property owners.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'"

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }  
{ NOES 35 }

Those who voted in the affirmative, were

Alvord	Chickering	Gray	Phillips
Andrews	Childs	Griggs	Potter
Baker, B. F.	Clark	Hayes	Roberts
Baker, O. S.	Clowes	Howland	Russell
Beach	Comstock	Hurd	Seeley
Beates	Cookinham	Husted	Shanley
Bennett	Cullinan	Ingersoll	Shuit
Bradley	Curtis	Kennedy	Tallmadge
Brennan	Davis	Lefever	Terpeny
Bridges	Douglass	Liddle	Titus
Brodsky	Duell	Lindsay	Tozier
Bullock	Duguid	Low	Tuthill, H. H.
Carpenter, E. A.	Evans	McCabe	Walsh
Carpenter, I. S.	Ferris	Morgan	Waterbury
Case	Fish	Newman	Wells, D. A.
Catlin	Gillette	Nowlan	Weston
Chase	Gorsline	O'Brien	Wiley

Those who voted in the negative, were

Benedict, T. E.	Grosse	Mitchell	Thilemann
Clanoy	Havens	Mooers	Tormey
Cohen	Hoffman	Parker	Treanor
Congdon	McAvoy	Peck	Tully
Crapser	McCarthy	Potts	Tuttle, R. M.
Cushing	McDonald	Rhodes	Varnum
Deane	McTernan	Sheridan	Warner
Dougherty	Mead	Sherman	Wells, J. L.
Fiske	Miller	Terry	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

Mr. Catlin moved to take from the table the Assembly bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof.'"

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Said bill having been announced for a third reading, on motion of Mr. Catlin, and by unanimous consent, said bill was amended as follows:

In line 1 of section 1, after the word "section," strike out the word "one" and insert the word "two," and in same line, same section,



strike out the word "five" and insert the word "four." Strike out all of section 1, after the 7th line, being lines 8 to 38, inclusive.

Strike out lines 1 and 2 of section 2.

Change section 3 to section 2 ; section 4 to section 3 ; section 5 to section 4 ; section 6 to section 5 ; section 7 to section 6 ; section 8 to section 7 ; section 9 to section 8 ; section 10 to section 9 ; section 11 to section 10 ; section 12 to section 11 ; section 13 to section 12 ; section 14 to section 13 ; section 15 to section 14.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Sanders
Andrews .	Costello	Kennedy	Shanley
Baker, B. F.	Crapser	Lefever	Sherman
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Slingerland
Beates	Cushing	Low	Steele
Benedict, E. D.	Davis	McAvoy	Tallmadge
Benedict, T. E.	Deane	McCarthy	Terry
Bennett	Dougherty	McDonald	Titus
Bradley	Duell	Mead	Tormey
Brennan	Duguid	Mooers	Tozier
Bridges	Evans	Morgan	Travis
Brodsky	Ferris	Newman	Treanor
Bullock	Fish	O'Brien	Tuthill, H. H.
Carpenter, E. A.	Gillette	Parker	Tuttle, R. M.
Carpenter, I. S.	Gorsline	Peck	Warner
Case	Gray	Phillips	Waterbury
Catlin	Griggs	Pitcher	Wells, D. A.
Clark	Gwinup	Potts	Wells, J. L.
Olowes	Hagan	Rhodes	Weston
Cohen	Havens	Root	Wiley
Comstock	Hoffman	Russell	Wren
Congdon	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," with a message that they have concurred in the passage of the same, with the following amendments:

Section 10, line 5, strike out the words "to an amount not exceeding" and insert in place thereof the word "in."

Section 11, line 1, insert after the word "not" the following: "Apply to the Hudson river, nor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sherman
Baker, B. F.	Deane	McAvoy	Shuit
Baker, C. S.	Dougherty	McCabe	Sipp
Beach	Duell	McCarthy	Tallmadge
Beates	Duguid	McDonald	Terpeny
Benedict, E. D.	Ferris	Mead	Terry
Bennett	Fish	Miller	Thilemann
Bradley	Fiske	Mitchell	Titus
Bridges	Gillette	Mooers	Tozier
Brodsky	Gorsline	Morgan	Travis
Bullock	Gray	Newman	Treanor
Carpenter, I. S.	Griggs	Nowlan	Tully
Chase	Hayes	O'Connor	Tuthill, H. H.
Clark	Hoffman	Peck	Tuttle, R. M.
Clowes	Howland	Phillips	Warner
Comstock	Hurd	Potter	Waterbury
Congdon	Husted	Potts	Wells, D. A.
Cookinham	Ingersoll	Root	Wells, J. L.
Costello	Kennedy	Russell	Weston
Cullinan	Lefever	Sanders	Wiley
Curtis	Liddle	Seeley	Wren
Cushing	Lindsay	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The committee of conference, appointed on the part of the Senate and Assembly, to consider the matters in dispute in relation to the bill entitled "An act to provide for a further appropriation of money for the maintenance of the public parks of the city of Brooklyn," respectfully report that they have agreed upon the following amendments :

Insert in line 6, of engrossed bill, after the word "park" the following: "and also the sum of \$8,000 for the repair of Bedford avenue."

Amend title by adding after the word "Brooklyn" the words "Bedford avenue."

W. H. MURTHA,  
 S. H. WENDOVER,  
 F. A. SCHROEDER,  
*Senate Committee.*

CHAS. H. RUSSELL,  
 P. W. CULLINAN,  
 JAS. M. VARNUM,  
 GEO. WREN,  
 L. J. TORMEY,  
*Assembly Committee.*

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Liddle	Shuit
Baker, B. F.	Curtis	Lindsay	Sisson
Baker, C. S.	Cushing	Low	Slingerland

Beach	Davis	McAvoy	Tallmadge
Beates	Deane	McCabe	Terpeny
Benedict, E. D.	Dougherty	McCarthy	Terry
Bennett	Duell	McDonald	Thilemann
Bradley	Duguid	Mead	Titus
Brennan	Evans	Miller	Tormey
Bridges	Ferris	Mooers	Tozier
Brodsky	Fish	Morgan	Travis
Bullock	Gillette	Newman	Treanor
Carpenter, E. A.	Gorsline	Nowlan	Tully
Carpenter, I. S.	Gray	Parker	Tuthill, H. H.
Case	Hayes	Peck	Tuttle, R. M.
Catlin	Hoffman	Pitcher	Warner
Chickering	Howland	Potts	Waterbury
Childs	Hurd	Roberts	Wells, D. A.
Clark	Husted	Root	Wells, J. L.
Clowes	Ingersoll	Russell	Weston
Cohen	Kennedy	Sanders	Wiley
Comstock	Lefever	Seeley	Wren
Congdon			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in the report of the conference committee thereon.

The committee appointed on the part of the Senate and Assembly to consider the matter in dispute in relation to the bill entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," report that they recommend the Assembly recede from all the amendments made to said bill by the Senate.

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Liddle	Sherman
Andrews	Cookinham	Lindsay	Shuit
Baker, B. F.	Curtis	Low	Sipp
Baker, C. S.	Cushing	McAvoy	Slingerland
Beach	Davis	McCabe	Strait
Beates	Deane	McCarthy	Tallmadge
Benedict, T. E.	Dougherty	Mead	Terpeny
Bennett	Duell	Miller	Terry
Bradley	Duguid	Mooers	Thilemann
Brennan	Evans	Morgan	Titus
Bridges	Ferris	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Gillette	Parker	Treanor
Carpenter, E. A.	Gorsline	Peck	Tuthill, H. H.
Carpenter, I. S.	Gray	Phillips	Tuttle, R. M.
Catlin	Hagan	Potter	Warner
Chase	Hayes	Potts	Waterbury
Chickering	Hoffman	Roberts	Wells, D. A.
Childs	Howland	Root	Wells, J. L.
Clark	Hurd	Russell	Weston
Clowes	Husted	Sanders	Wiley

Cohen  
ComstockKennedy  
LefeverShanley  
Sheridan

Wren

Those who voted in the negative, were  
Olancy McDonald

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in the report of the conference committee thereon.

Mr. Alvord gave notice that he will, at some future day, move to suspend so much of Rule 72 as gives the right to a member "to make a brief statement of the reasons for making a request to be excused from voting" during the remainder of this session and until the final adjournment.

Mr. Trainor offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 601, entitled "An act relative to the leasing of ferry franchises and wharf property necessary for ferry purposes in the city of New York," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized," with a message that they had passed the same with the following amendments:

Section 1, line 8, after the word "eighty-one" insert the following: "but said commissioners shall not, after the first day of July, 1880, receive or be entitled to receive more than \$600 each per annum as and for their salaries as such commissioners."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Benedict, E. D.  
Bennett  
Bradley  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, L. S.  
Case  
Catlin

Curtis  
Cushing  
Davis  
Deane  
Dougherty  
Duell  
Duguid  
Evans  
Fish  
Fitzgerald  
Gillette  
Gorsline  
Grosse  
Hagan  
Havens

Lefever  
Liddle  
Lindsay  
Low  
McAvoy  
McCabe  
McDonald  
Mead  
Miller  
Mooers  
Morgan  
Newman  
Nowlan  
Peck  
Phillips

Sherman  
Shuit  
Sisson  
Slingerland  
Steele  
Tallmadge  
Terpeny  
Terry  
Thilemann  
Titus  
Tozier  
Travis  
Tuthill, H. H.  
Tuttle, R. M.  
Varnum

Chase	Hayes	Potter	Warner
Chickering	Hoffman	Potts	Waterbury
Clark	Howland	Roberts	Wells, D. A.
Clowes	Hurd	Root	Wells, J. L.
Comstock	Husted	Russell	Weston
Congdon	Ingersoll	Seeley	Wiley
Cookinham	Kennedy	Sheridan	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 20, 1880.* }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sherman
Andrews	Curtis	Liddle	Shuit
Baker, B. F.	Cushing	Lindsay	Slingerland
Baker, C. S.	Davis	Low	Steele
Beach	Deane	McAvoy	Tallmadge
Beates	Dougherty	McCabe	Terpeny
Benedict, E. D.	Douglass	McCarthy	Terry
Bennett	Duguid	McDonald	Titus
Bradley	Evans	Miller	Tozier
Brennan	Fish	Mooers	Travis
Bridges	Fiske	Morgan	Treanor
Brodsky	Fitzgerald	Newman	Tully
Bullock	Gibbs	Nowlan	Tuthill, H. H.
Carpenter, E. A.	Gorsline	O'Brien	Tuttle, R. M.
Catlin	Gray	Parker	Varnum
Chase	Hagan	Phillips	Warner
Chickering	Havens	Potter	Waterbury
Childs	Hayes	Potts	Wells, D. A.
Clark	Hoffman	Rhodes	Wells, J. L.
Clowes	Howland	Root	Weston
Comstock	Husted	Russell	Wiley
Congdon	Ingersoll	Seeley	Wren
Cookinham	Kennedy		

On motion of Mr. Chickering, and by unanimous consent, said bill was amended in words following:

Section 1, line 1, after the word "fifteen" insert the words "of title two."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

'Those who voted in the affirmative, were

Alvord	Congdon	Hurd	Root
Andrews	Cookinham	Husted	Sanders
Baker, B. F.	Cullinan	Ingersoll	Shuit
Baker, C. S.	Curtis	Kennedy	Slingerland
Beach	Davis	Lefever	Tallmadge
Beates	Deane	Liddle	Terpeny
Benedict, E. D.	Douglass	Lindsay	Terry
Bradley	Duell	Low	Titus
Brennan	Duguid	McAvoy	Tormey
Bridges	Ellis	McCabe	Tozier
Brodsky	Evans	McCarthy	Travis
Bullock	Ferris	Miller	Tuthill, H. H.
Carpenter, E. A.	Fish	Mitchell	Tuttle, R. M.
Carpenter, I. S.	Fiske	Mooers	Varnum
Case	Fitzgerald	Nowlan	Walsh
Catlin	Gillette	O'Brien	Warner
Chamberlain	Gorsline	Peck	Waterbury
Chase	Gray	Phillips	Wells, D. A.
Chickering	Griggs	Pitcher	Wells, J. L.
Childs	Grosse	Potter	Weston
Clark	Hayes	Potts	Wren
Clowes	Hoffman	Rhodes	Youngs
Comstock	Howland	Roberts	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 20, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bills Nos. 107, 376, 436 and 509, respectively, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to prevent fishing with nets in a part of the waters of Lake Ontario," are herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which bill No. 107, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Roberts
Andrews	Congdon	Hurd	Root
Baker, B. F.	Cookinham	Husted	Russell
Baker, C. S.	Cullinan	Ingersoll	Sanders
Beach	Curtis	Kennedy	Seeley
Beates	Davis	Lefever	Sherman
Benedict, E. D.	Deane	Liddle	Shuit
Benedict, T. E.	Dougherty	Lindsay	Sisson
Bradley	Douglass	Low	Slingerland
Brennan	Duell	McAvoy	Tallmadge
Bridges	Duguid	McCabe	Terpeny
Brotsky	Evans	McCarthy	Terry
Bullock	Ferris	Miller	Titus
Carpenter, E. A.	Fish	Mitchell	Tozier
Carpenter, I. S.	Fiske	Nowlan	Travis
Case	Fitzgerald	O'Brien	Tuthill, H. H.
Catlin	Gibbs	Peck	Varnum
Chase	Gillette	Phillips	Warner
Chickering	Gorsline	Pitcher	Waterbury
Childs	Gray	Potter	Wells, D. A.
Clark	Gwinup	Potts	Wells, J. L.
Clowes	Hayes	Rhodes	Weston
Cohen	Hoffman		

Mr. Husted moved to refer said bill to select committee consisting of Messrs. Kennedy, Cullinan, Low, Ellis and Husted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Shuit, from the committee on State prisons, to which was referred the Senate bill (introductory No. 540), entitled "An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled 'General provisions applicable to all the prisons treated of in this chapter,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The Senate returned Assembly bill entitled "An act to release to Ellen Kennedy and others the right, title and interest of the People of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized," with a message that they have concurred in the same with the following amendments:

Section 1, line 8, after the word "to" strike out the words "and vested in."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Sheridan
Andrews	Cullinan	Husted	Sherman
Baker, B. F.	Curtis	Ingersoll	Shuit
Baker, C. S.	Davis	Kennedy	Sipp
Beach	Deane	Lefever	Sisson



Beates	Dougherty	Liddle	Slingerland
Benedict, E. D.	Douglasa	Lindsay	Steele
Bennett	Duell	Low	Tallmadge
Bradley	Duguid	McAvoy	Terpeny
Brennan	Evans	McCabe	Terry
Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mitchell	Tormey
Bullock	Fiske	Nowlan	Tozier
Carpenter, E. A.	Fitzgerald	O'Brien	Travis
Carpenter, I. S.	Gibbs	Peck	Tully
Case	Gillette	Phillips	Tuthill, H. H.
Catlin	Gorsline	Pitcher	Tuttle, R. M.
Chamberlain	Gray	Potter	Van Valkenburgh
Chase	Griggs	Potts	Warner
Chickering	Grosse	Rhodes	Waterbury
Childs	Gwinup	Roberts	Wells, D. A.
Clark	Havens	Root	Wells, J. L.
Clowes	Hayes	Russell	Weston
Comstock	Hoffman	Sanders	Wren
Congdon	Howland	Seeley	Youngs
Cookinham			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," with a message that they have concurred in the same, with the following amendments:

Line 15, section 1, after the word "ground" insert the words "except street surface railroads."

Mr. Mitchell moved to non-concur in the amendments of the Senate to the within entitled bill, and requests a committee of conference on the part of the House, and requests a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Clark	Husted	Russell
Andrews	Comstock	Ingersoll	Sanders
Baker, B. F.	Congdon	Kennedy	Seeley
Baker, C. S.	Cookinham	Lefever	Sherman
Beach	Cullinan	Liddle	Shuit
Beates	Curtis	Lindsay	Sisson
Benedict, E. D.	Davis	Low	Slingerland
Benedict, T. E.	Duell	McCabe	Steele
Bradley	Duguid	Mead	Tallmadge
Brennan	Evans	Miller	Terry
Bridges	Ferris	Nowlan	Titus
Brodsky	Fish	Parker	Tozier
Bullock	Fiske	Peck	Travis
Carpenter, I. S.	Gorsline	Phillips	Tuthill, H. H.
Case	Gray	Potter	Van Valkenburgh

Chamberlain	Griggs	Potts	Waterbury
Chase	Hayes	Roberts	Wren
Chickering	Hoffman	Root	Youngs
Childs	Howland		

Those who voted in the negative, were

Cohen	Grosse	Rhodes	Walsh
Costello	McAvoy	Terpeny	Warner
Cushing	McCarthy	Treanor	Wiley
Dougherty	Mitchell	Varnum	Mr. Speaker

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act relating to leases of railroads and railroad property within this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Russell
Andrews	Congdon	Husted	Sanders
Baker, B. F.	Cookinham	Ingersoll	Seeley
Baker, C. S.	Costello	Kennedy	Shanley
Beach	Curtis	Lefever	Sheridan
Beates	Cushing	Liddle	Shuit
Benedict, E. D.	Davis	Lindsay	Sipp
Benedict, T. E.	Deane	Low	Sisson
Bradley	Dougherty	McAvoy	Slingerland
Brennan	Douglass	McCabe	Steele
Bridges	Duell	McCarthy	Terpeny
Brodsky	Duguid	McDonald	Terry
Bullock	Evans	McTernan	Titus
Carpenter, E. A.	Ferris	Mooers	Tormey
Carpenter, I. S.	Fish	Morgan	Tozier
Case	Fitzgerald	Newman	Travis
Catlin	Gibbs	Nowlan	Treanor
Chamberlain	Gillette	O'Brien	Tully
Chase	Gorsline	Parker	Varnum
Chickering	Hagan	Peck	Walsh
Childs	Havens	Phillips	Warner
Clancy	Hayes	Potter	Waterbury
Clark	Hoffman	Potts	Wells, J. L.
Clowes	Howland	Root	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the better laying out and improving of that portion of the city of New York, between Tenth avenue and avenue St. Nicholas and 138th street continued, and the lands of the Academy of the Sacred Heart and 135th street continued," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Andrews	Deane	Lindsay	Sheridan
Baker, B. F.	Douglase	Low	Sherman
Baker, C. S.	Duell	McAvoy	Sipp
Beach	Duguid	McCabe	Slingerland
Beates	Ferris	McCarthy	Steele
Benedict, T. F.	Fish	McDonald	Tallmadge
Brennan	Fiske	McTernan	Terpeny
Bridges	Fitzgerald	Miller	Terry
Brodsky	Gillette	Mooers	Tozier
Bullock	Gorsline	Morgan	Travis
Carpenter, E. A.	Gray	Newman	Treanor
Catlin	Gwinup	Nowlan	Tully
Chase	Hagan	O'Connor	Tuthill, H. H.
Chickering	Havens	Peck	Tuttle, R. M.
Childs	Hayes	Phillips	Walsh
Clark	Hoffman	Potts	Warner
Clowes	Howland	Rhodes	Waterbury
Comstock	Hurd	Roberts	Wells, D. A.
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Ingersoll	Sanders	Wiley
Curtis	Kennedy	Seeley	Wren
Cushing	Lefever		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State," being announced for a third reading,

On motion of Mr. Hays, and by unanimous consent, said bill was amended in words following:

Section 1, line 14, of engrossed bill, strike out the words "owned and unemployed by the State."

Section 4, line 14, after the words "but every road" insert the words "constructed under the provisions of this act."

Mr. Alvord moved to commit said bill to the committee on railroads with instructions to amend the same in words following: "except in the counties of Onondaga and Kings."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }  
{ NOES 23 }

Those who voted in the affirmative, were

Andrews	Cookinham	Lefever	Russell
Baker, B. F.	Cullinan	Liddle	Seeley

Baker, C. S.	Davis	Low	Shuit
Beach	Deane	McCabe	Sisson
Beates	Duell	McCarthy	Steele
Benedict, T. E.	Duguid	Miller	Strait
Bradley	Evans	Mitchell	Tallmadge
Brennan	Gillette	Mooers	Terpeny
Bridges	Gray	Morgan	Terry
Brodsky	Griggs	Nowlan	Titus
Bullock	Grosse	Parker	Tuttle, R. M.
Carpenter, E. A.	Gwinup	Pitcher	Varnum
Case	Havens	Potter	Warner
Chamberlain	Hayes	Potts	Waterbury
Chickering	Hoffman	Rhodes	Wells, J. L.
Clowes	Hurd	Roberts	Weston
Comstock	Husted	Root	Mr. Speaker
Congdon			

Those who voted in the negative, were

Alvord	Cushing	McTernan	Sipp
Olancy	Fitzgerald	Newman	Slingerland
Clark	Gibbs	O'Connor	Tully
Cohen	Howland	Phillips	Tuthill, H. H.
Costello	Kennedy	Shanley	Walsh
Curtis	Lindsay	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 606), entitled "An act to extend the operation and effect of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the acts amending and extending the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Brennan, from the committee on militia, to which was referred the Senate bill (introductory No. 700), entitled "An act making an appropriation for repairs to the State arsenal at Albany, and military property stored therein," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act relative to printing and publishing the Code of Criminal Procedure," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to provide for payment of the expense of certain proceedings against public officers in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Curtis	Lefever	Sanders
Baker, C. S.	Cushing	Liddle	Seeley
Beach	Davis	Lindsay	Shanley
Beates	Deane	Low	Shuit
Bennett	Dougherty	McAvoy	Sipp
Bradley	Douglass	McDonald	Sisson
Brennan	Duguid	McTernan	Steele
Bridges	Evans	Miller	Strait
Brodsky	Ferris	Mitchell	Terpeny
Bullock	Fish	Mooers	Terry
Carpenter, I. S.	Fitzgerald	Morgan	Titus
Case	Gibbs	Nowlan	Tormey
Catlin	Gorsline	O'Brien	Travis
Chase	Gray	Parker	Tuthill, H. H.
Chickering	Grosse	Peck	Tuttle, R. M.
Clark	Hayes	Potter	Varnum
Clowes	Hoffman	Potts	Warner
Comstock	Howland	Rhodes	Waterbury
Congdon	Husted	Roberts	Weston
Cookinham	Kennedy	Russell	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Lefever	Roberts
Andrews	Congdon	Liddle	Root
Baker, B. F.	Cookinham	Low	Russell
Baker, C. S.	Cullinan	McAvoy	Sanders
Beach	Curtis	McCabe	Seeley
Beates	Davis	McDonald	Sheridan
Bradley	Deane	Miller	Sherman
Brennan	Dougherty	Mitchell	Shuit
Bridges	Douglass	Mooers	Sipp
Brodsky	Duell	Morgan	Sisson
Bullock	Duguid	Newman	Slingerland
Carpenter, E. A.	Evans	Nowlan	Steele
Carpenter, I. S.	Fish	O'Brien	Tallmadge
Catlin	Fiske	Parker	Terry
Chamberlain	Gray	Peck	Tuthill, H. H.
Chase	Griggs	Phillips	Warner
Chickering	Hayes	Pitcher	Waterbury
Childs	Hoffman	Potter	Wells, J. L.
Clark	Howland	Potts	Weston
Clowes	Kennedy	Rhodes	

*Ordered*, That the Clerk return said bill to the Senate, with a mess-

age informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city."

"An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to facilitate the speedy and economical disposition of refuse from the city of New York."

"An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer, to be used for the payment of taxes against said town.'"

"An act relating to certain local improvements and assessments in the city of New York."

"An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879."

"An act for the better protection of manufacturing interests."

"An act in relation to rates of fare upon certain railroads."

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866.'"

"An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn."

"An act to authorize the treasurer of Steuben county to sell property for unpaid taxes."

"An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal, upon Genesee street in the city of Utica."

"An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain."

"An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.'"

"An act in relation to unpaid taxes and water assessments in Long Island City."

"An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

"An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad

to the east bank of the Hudson river, and to establish a ferry over said river."

"An act for the relief of Theodore P. Ballou."

"An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,' passed March 19, 1861."

"An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad.'"

"An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14 of the Laws of 1880."

"An act to amend section 236 of the Code of Civil Procedure."

"An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads in Chemung county,' and the several acts amendatory thereof, and to supplement new sections."

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

"An act to prevent trespassing and intrusion upon railroad cars and engines."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott."

"An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego,' passed April 17, 1862."

"An act to exempt the county of Saratoga from the provisions of chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county."

"An act to reduce and fix the rate of interest on bonds and mortgages held by the Commissioners of the United States Deposit Fund in the several counties of the State."

"An act to revive the Gypsum Cemetery Association in Ontario county."

"An act to amend section 9, chapter 11, article first, title 2, part 1 of the Revised Statutes, and supplementary thereto."

"An act to reduce the expenses of the improvement commission in Long Island City."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 365, entitled "An act amending chapter 291 of the Laws of 1867, amending the act incorporating the city of Binghamton," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.



*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

A message from the Senate was received and read, informing of concurrence in the following resolutions :

Relative to printing the Annual Report of the Superintendent of the Insurance Department.

Also,

Asking the return by the Governor of Assembly bill No. 601, entitled "An act relative to the leasing of ferry franchises and wharf property necessary for ferry purposes in the city of New York," for amendment.

*Ordered*, That the Clerk deliver said last resolution to the Governor.

Mr. Steele moved to lay all order of business on the table for the purpose of taking up order of business reports of committees and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following :

*Resolved*, That when this House adjourns, it be to meet at 4 o'clock P. M. to-day, and continue in session until 7 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

On motion of Mr. Mitchell, and at 1 o'clock and 55 minutes, the House adjourned.

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## MONDAY EVENING, MAY 24, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of Friday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

*Resolved* (if the Senate concur), That of the Auditors' Expenditure Report for the fiscal year ending 30th September, 1879, there be printed 500 copies for the use of the Auditors' Department, and 500 copies for the use of the Legislature.

A message from the Senate was received and read, informing of concurrence in the passage of the following bills :

"An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight, for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting.

"An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation

to courts of record in the city and county of New York, and to reenact chapter 625 of the Laws of 1875.' ”

“An act to amend an act entitled ‘An act to incorporate the Public Exchange,’ passed April 22, 1868.

“An act to amend chapter 409 of the Laws of 1879, entitled ‘An act to extend the time for the organization of the Centennial Insurance Company, of New York.’ ”

“An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York.”

“An act to amend chapter 287 of the Laws of 1879, entitled ‘An act to provide for the formation of county and town co-operative insurance companies.’ ”

“An act to amend chapter 231 of the Laws of 1872, entitled ‘An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners.’ ”

“An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith.”

“An act to amend chapter 398 of the Laws of 1871, entitled ‘An act in relation to the improvement of the First avenue in the city of New York.’ ”

“An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880.”

“An act to amend chapter 806 of the Laws of 1868, entitled ‘An act to incorporate the Fire Proof Warehousing Company.’ ”

“An act to amend chapter 204 of the Laws of 1864, entitled ‘An act to amend and consolidate the several acts relating to the village of Lansingburgh.’ ”

“An act to amend and consolidate an act entitled ‘An act to incorporate the village of Cambridge,’ passed April 16, 1866, and the several acts amending and supplementing the same.”

“An act to release certain lands which have escheated to the State to Francis Marrin, the father of Francis Marrin, late of the village of Fairport, Monroe county, New York.”

“An act to amend chapter 409 of the Laws of 1879, entitled ‘An act to extend the time for the organization of the Centennial Insurance Company of New York.’ ”

*Ordered*, That the Clerk deliver said bills to the Governor.

Privileges of the floor were granted to Hon. Isaac Babcock, a former member of this House.

By unanimous consent,

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 293, entitled “An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house of said county,” for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Phillips introduced a bill entitled "An act to provide for payment to Mrs. Ann Church, widow of the late Sanford E. Church, Chief Judge of the Court of Appeals, the chief judge's salary for the unexpired portion of the year 1880, since the decease of the late judge," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Phillips, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sheridan
Andrews	Deane	Low	Sherman
Baker, B. F.	Dougherty	McAvoy	Shuit
Baker, C. S.	Douglass	McCabe	Sisson
Beach	Duell	McCarthy	Steele
Beates	Duguid	McDonald	Strait
Benedict, E. D.	Ellis	McTernan	Tallmadge
Benedict, T. E.	Evans	Mead	Terry
Bennett	Ferris	Miller	Thilemann
Bradley	Fiske	Mooers	Tormey
Brodsky	Fitzgerald	Morgan	Tozier
Carpenter, E. A.	Gillette	Newman	Travis
Chamberlain	Gray	Nowlan	Treanor
Chase	Griggs	O'Brien	Tully
Chickering	Grosse	O'Connor	Tuthill, H. H.
Childs	Gwinup	Parker	Van Valkenburgh
Clancy	Hagan	Peck	Walsh
Clark	Havens	Phillips	Waterbury
Clowes	Hayes	Pitcher	Wells, J. L.
Cohen	Hurd	Rhodes	Wiley
Congdon	Ingersoll	Russell	Wren
Cookinham	Lefever	Seeley	Youngs
Cullinan	Liddle	Shanley	Mr. Speaker
Cushing			

Those who voted in the negative, were

Brennan	Howland	Potts	Tuttle, R. M.
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Meade introduced a bill entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Mead, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dougherty	McCabe	Shanley
Andrews	Douglass	McTernan	Sheridan
Baker, B. F.	Duell	Mead	Sherman
Baker, C. S.	Duguid	Miller	Shuit
Beach	Evans	Mooers	Sisson
Beates	Ferris	Morgan	Skinner
Benedict, E. D.	Fish	Newman	Strait
Benedict, T. E.	Fiske	Nowlan	Tallmadge
Brennan	Fitzgerald	O'Brien	Terry
Bridges	Gray	O'Connor	Thilemann
Chamberlain	Griggs	Parker	Tormey
Chase	Grosse	Peck	Tozier
Childs	Gwinup	Phillips	Tully
Clancy	Hagan	Pitcher	Tuttle, R. M.
Clark	Hayes	Potter	Van Valkenburgh
Clowes	Howland	Potts	Warner
Congdon	Ingersoll	Rhodes	Waterbury
Curtis	Lefever	Root	Weston
Cushing	Liddle	Russell	Wiley
Davis	Lindsay	Sanders	Wren
Deane	Low	Seeley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Titus offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the consideration of Senate bill No. 423, general orders No. 1062, entitled "An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled 'General provisions applicable to all the prisons treated of in this chapter,'" and that the same now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sheridan
Andrews	Deane	Low	Sherman
Baker, B. F.	Dougherty	McAvoy	Shuit
Baker, C. S.	Douglass	McCabe	Sisson
Beach	Duell	McCarthy	Skinner
Beates	Duguid	McDonald	Slingerland

Benedict, E. D.	Evans	Miller	Steele
Benedict, T. E.	Ferris	Mooers	Tallmadge
Bennett	Fish	Morgan	Terry
Bradley	Fiske	Newman	Thilemann
Brennan	Fitzgerald	Nowlan	Tormey
Bridges	Gillette	Parker	Tozier
Brodsky	Griggs	Peck	Travis
Chamberlain	Grosse	Phillips	Treanor
Chickering	Gwinup	Pitcher	Tully
Childs	Hagan	Potter	Tuthill, H. H.
Clark	Hayes	Potts	Tuttle, R. M.
Cohen	Howland	Root	Van Valkenburgh
Congdon	Husted	Russell	Waterbury
Cookinham	Ingersoll	Sanders	Wells, J. L.
Curtis	Lefever	Seeley	Wren
Cushing	Liddle	Shanley	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Andrews (introductory No. 956), entitled "An act to prohibit disfranchisement," for consideration of the House.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 352), entitled "An act enabling any corporation created by act of Congress of the United States to acquire, hold, use and improve real estate for the purposes of an international exhibition," reported in favor of the passage of the same.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 344), entitled "An act for the relief of Augustus T. Morris, and of the estate of James Cummings, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 207), entitled "An act to amend title 2 of chapter 5, part 2 of the Revised Statutes, entitled 'Of the custody and disposition of the estates of idiots, lunatics, persons of unsound mind, and drunkards,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act defining the powers and duties of the Superintendent of Public Works," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Seeley
Andrews	Cushing	Lefever	Shanley
Baker, B. F.	Davis	Liddle	Sherman
Baker, C. S.	Deane	Lindsay	Shuit
Beach	Dougherty	McAvoy	Sisson
Beates	Douglass	McCabe	Slingerland
Benedict, E. D.	Duell	McCarthy	Steele
Benedict, T. E.	Duguid	McDonald	Tallmadge
Bradley	Evans	Miller	Terpeny
Brennan	Ferris	Mooers	Terry
Bridges	Fish	Morgan	Titus
Brodsky	Fiske	Newman	Tozier
Carpenter, E. A.	Gillette	Nowlan	Travis
Case	Gorsline	O'Brien	Treanor
Chamberlain	Gray	Peck	Tully
Chickering	Griggs	Phillips	Tuthill, H. H.
Childs	Hagan	Pitcher	Tuttle, R. M.
Clancy	Hayes	Potter	Van Valkenburgh
Clark	Howland	Potts	Waterbury
Clowes	Hurd	Root	Wells, J. L.
Congdon	Husted	Russell	Wren
Cookinham	Ingersoll	Sanders	Youngs

Those who voted in the negative, were

Cohen

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The private secretary of the Governor appeared before the bar of the House and presented a message in writing in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
 ALBANY, May 24, 1880. }

*To the Assembly:*

Assembly bill No. 332, entitled "An act authorizing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose," is herewith returned without approval.

This bill proposes to authorize the Superintendent of Public Works to enlarge the west branch of the Eighteen Mile creek near Lockport, to enable it to discharge the surplus waters of the Erie canal and prevent the overflow of lands lying adjacent thereto. The bill makes an appropriation of \$6,000 to pay the expense of the proposed work.

Since the bill has been in my hands, the Superintendent of Public Works has, at my request, personally visited and carefully inspected the locality named, to enable him to determine as to the necessity of the proposed improvement. He expresses the opinion that the work is unnecessary, and that the State cannot properly be called upon to make an expenditure for the purpose indicated.

It is, therefore, my opinion that the bill should not become a law.

ALONZO B. CORNELL.

On motion of Mr. Van Valkenburgh said bill with message was laid on the table.

Senate bill entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lefever	Sanders
Andrews	Dougherty	Liddle	Seeley
Baker, B. F.	Douglass	Low	Shanley
Baker, C. S.	Duell	McAvoy	Sherman
Beach	Duguid	McCabe	Shuit
Beates	Ellis	McCarthy	Skinner
Benedict, E. D.	Evans	McDonald	Steele
Benedict, T. E.	Ferrie	Mead	Tallmadge
Bennett	Fish	Miller	Terpeny
Bridges	Fiske	Mooers	Terry
Brodsky	Fitzgerald	Morgan	Thilemann
Chamberlain	Gillette	Newman	Tozier
Chickering	Gorsline	Nowlan	Travis
Childs	Gray	O'Brien	Tully
Clancy	Gwinup	Parker	Tuthill, H. H.
Clark	Hagan	Peck	Tuttle, R. M.
Clowes	Havens	Phillips	Van Valkenburgh
Congdon	Hayes	Pitcher	Waterbury
Cookinham	Hoffman	Potter	Wells, J. L.
Cullinan	Howland	Potts	Wiley
Curtis	Hurd	Rhodes	Wren
Cushing	Husted	Root	Youngs
Davis	Ingersoll	Russell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Senate bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," with a message that they have agreed to report of conference on said bill in words following:

*To the Legislature:*

Your committee of conference, to whom were referred the matters of difference between the two houses upon Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," beg leave respectfully to report that they met and have duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in the following amendments to the bill as proposed and adopted in the Senate (reference in all cases being made to the engrossed bill), namely:

Page 3, line 18, strike out the word "three" and insert the word "six."

Same page, line 19, after the word "dollars," insert the following, to wit: "three hundred dollars for carrying Assembly documents and \$300 dollars for carrying Senate documents."

Same page, after line 26, insert the following:



For George A. Martinus, for services as messenger to the committees on judiciary and miscellaneous corporations of the Senate, for the session of 1880, at four dollars per day, the sum of \$550, or so much thereof as may be necessary.

Same page, line 31, strike out the word "fifty" and insert the words "one hundred."

Page 4, after line 34, insert the following:

For Henry A. Glidden, late clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly from 1870 to 1878, and distributing the same pursuant to a resolution of the Senate adopted May 24, 1877, the sum of \$1,200; and for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against DeWitt C. Ellis, and distributing the same, pursuant to a resolution of the Senate adopted August 17, 1877, the sum of \$500.

For John W. Vrooman, for arranging the testimony, proceedings and journal of the Senate in the trial of the charges against John F. Smyth, late Superintendent of the Insurance Department, and for preparing an index to the same, and for distributing the same pursuant to resolution of the Senate adopted March 12, 1878, the sum of \$500.

For the Clerk of the Assembly, to pay for additional clerical services and for engrossing, \$1,150, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

For the Clerk of the Senate, to pay for additional clerical services and for engrossing, \$500, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

Page 5, after line 23, insert the following:

For Hon. Robert H. Strahan, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the eighth senatorial district of this State, and for other expenses incurred by him therein, the sum of \$1,000.

For Hon. James Stevens, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the twenty-second senatorial district of this State, and for other expenses incurred by him therein, the sum of \$750.

For deficiency in appropriations for compensation of criers and attendants of the Court of Appeals to the close of the current fiscal year, \$2,000, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing calendar and other necessary expenses of the office of the clerk of the Court of Appeals, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for repairs, cleaning, labor, gas and other necessary expenses of the State hall, \$500.

For deficiency in appropriations for maintenance of convicts sentenced to penitentiaries, in pursuance of chapter 158 of the Laws of 1856, chapter 585 of the Laws of 1865, chapter 667 of the Laws of 1866, chapter 574 of the Laws of 1869, chapter 247 of the Laws of 1874, and chapter 571 of the Laws of 1875, \$16,000, or so much thereof as may be necessary.

For the actual and necessary traveling and incidental expenses of the agent of the Comptroller to examine the accounts of auctioneers, \$300, or so much thereof as may be necessary.

For payment to the widow and heirs at law of the late John G. Wasson, of interest at six per centum to April 1, 1881, on \$10,000 upon a certificate issued under chapter 830 of the Laws of 1868, \$600.

For the electors of president and vice-president and for special messenger, for compensation and expenses, \$4,000, or so much thereof as may be necessary.

Same page, after item for fire proof safe, insert:

For the compensation and expenses of the fifth justice of the Supreme Court, in the second judicial district, from date of qualification to September 30, 1880, \$4,150, or so much thereof as may be necessary.

For deficiency in appropriations for the stenographers in the second judicial district, appointed under chapter 765 of the Laws of 1868, \$375; said amount to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said act and in pursuance thereof.

For deficiency in appropriations for the salary of the Superintendent of the Insurance Department for the current fiscal year, \$2,000, to be refunded to the treasury of the State by the several insurance companies, associations, persons and agents to whom chapter 366 of the Laws of 1859 applies.

For the Comptroller, for the payment of certain expenses incurred in the investigation against Bernard Reilly, late sheriff of the city and county of New York, and incurred under direction of the Governor, for services of stenographer, printing testimony and proceedings, and for witnesses' fees and disbursements, \$1,500, or so much thereof as may be necessary; and for fees of referee therein, \$1,750; and for payment of certain expenses for board and rooms for Senate committee appointed May 22, 1875, "to investigate the departments and offices of the government of the city and county of New York," \$769.58.

The Comptroller is hereby authorized and empowered to examine or cause to be examined the financial affairs and business administration of the Onondaga Salt Springs, under the management of the late superintendent, and for that purpose the Comptroller or the officer designated by him to conduct such examination shall have power to administer oaths and to subpoena witnesses, and require the production of books and papers, and the sum of \$750, or so much thereof as may be necessary, is hereby appropriated to carry this provision into effect.

For Blatchford, Seward, Griswold and Da Costa, as attorneys for James Eckerson, in the action hereinafter named, the sum of \$836.36, being the amount in full payment of the principal of a judgment for costs against the people of this State, in favor of said James Eckerson, in an action commenced in the name of the people by Attorney-General Barlow against Mathew D. Bogart, James Eckerson and others, which judgment was docketed in the Albany county clerk's office on the 31st day of December, 1873; and the further sum of \$360.03 for interest on said judgment. The Comptroller shall pay the above sums to the above-named attorneys, upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

For the Attorney-General, to pay the fees of witnesses subpoenaed

to attend before the State Board of Audit and the expense of procuring service of subpoenas upon them, \$500, or so much thereof as may be necessary.

For the Attorney-General, to pay for law books necessary to fill up certain uncompleted sets of State and United States law reports, in the library of the Attorney-General, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing and other necessary expenses of the Attorney-General's office, \$500.

Page 6, after line 31, insert the following:

For the Attorney-General, to pay counsel fees and necessary expenses incurred in the prosecution of indictments at the Rockland county oyer and terminer against the president and secretary of the Rockland savings bank for perjury, embezzlement and larceny, the sum of \$1,400, or so much thereof as may be necessary; and the board of supervisors of the said county at its next annual session is hereby authorized and required to raise by tax the amount hereby appropriated, and to pay the same into the treasury of the State; and to pay counsel and attorneys' fees incurred in the prosecution of William E. Gray, indicted, tried and convicted in 1879, at the New York county oyer and terminer, for the forgery of State bounty bonds, the sum of \$1,000.

Same page, after the word "Tioga" in line 33, insert the following: "the towns of Bombay and Bangor, in the county of Franklin, and the town of Wolcott, in the county of Wayne."

Page 7, line 19, after the word "stenographer," insert the following: "and for the services of such commissioners at the rate of ten dollars each per day for each day of actual service."

Same page, line 20, after the word "thousand," insert the words "five hundred."

Same page, line 28, strike out the word "one" and insert the word "two."

Same page, lines 28 and 29, strike out the word "fourteen," and insert the word "nineteen."

Same page, line 29, strike out the words "sixty-six," and insert the word "fifteen."

Page 9, after line 22, insert the following:

For Ann Higgins, mother of William Higgins, as a gratuity, in full for all claims for damages sustained by her in the loss by death of her said son, who was her sole support, and who died on the 18th day of July, 1879, from injuries received by him while employed on the New Capitol, \$1,000.

Page 9, after item for Thomas J. Lawrence, insert the following:

For James F. Johnson, as a gratuity, in full for all claims for damages for injuries received by him from the falling of a block of granite upon him while in the employ of the State, on the 4th day of September, 1875, and which necessitated the amputation of a leg, \$1,000.

For Chapman S. Strong, as a gratuity, in full for all claims for damages for injuries received by him as a keeper in Auburn State Prison, from the criminal assault of convicts, in November, 1873, and while engaged in the discharge of his duties as such keeper in quelling an outbreak in said prison, \$1,000.

For Lawrence Hagar, father of Charles Hagar, as a gratuity, in full for all claims for damages sustained by him in the loss by death

of his said son, who was his sole support, and who was killed by falling from a scaffold in March, 1880, while at work on the new capitol, \$500.

Same page, after line 33, insert the following :

For the payment of a canal certificate given by a late Canal Commissioner to Henry D. Denison, December 14, 1876, addressed to the Comptroller, for removing obstructions from the outlet of Cayuga lake and the channel of Seneca river, between Cross lake and Montezuma, \$542.48, and for interest thereon the sum of \$108.50.

Page 10, line 7, strike out the word "eight," and insert the word "four."

Page 11, line 14, strike out the word "twelve," and insert the word "seventeen."

Same page, line 15, before the word "dollars," insert the words "and thirty-two."

Same page, after the word "necessary," in line 15, insert the words "and for apparatus, \$5,000."

Same page, after line 15, insert the following :

For the State Normal and Training School, at Brockport, for addition to buildings, \$20,000; for steam heating apparatus, \$12,148; for tin-roofing of old buildings, \$1,352; for furniture, \$2,000; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

For the State Normal and Training School, at Albany, for repairs to buildings, for additions to apparatus and for furniture and books, \$2,000.

Same page, after line 33, insert the following :

For the purchase of 1,250 copies of volume 1 of Hough's Classified Abstract of the laws of New York, during the first century of the State Government, at a rate not to exceed \$4 per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the session laws of this State.

Page 12, after line 12, insert the following :

For the St. Joseph's Institution for the improved instruction of deaf mutes, at Fordham, for the support and instruction of deaf mutes, for various periods of time, in 1878 and 1879, in addition to those provided for by former appropriations, \$1,789.10, or so much thereof as may be necessary.

Same page, after line 17, insert the following :

For the State Board of Charities, for deficiency in appropriations for current expenses, \$2,000.

For the removal of crippled, blind, lunatic and other infirm alien paupers to the countries whence they came, the sum of \$3,000, or so much thereof as may be necessary; the State Board of Charities is hereby authorized to cause the removal to the countries whence they came, of any crippled, blind, lunatic or other infirm alien paupers sent to this country by cities or towns in the various governments of Europe, or by societies, relatives or friends, and who may be found in any poor-house, alms-house or other institutions of charity in this State.

Page 13, after item for the city of Utica, insert the following :

For the city of Syracuse, as an equitable payment of the local as-

assessment and expenses for paving on Salina street, in said city, in front of the Salt Springs office, in 1876, \$382.72, and of the local assessment and expenses for constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in 1877, \$2,478.76.

Page 14, line 12, strike out the words "State Engineer and Surveyor," and insert the words "Superintendent of Public Works."

Same page, line 19, after the word "dollars," insert the following: "But no part of this appropriation shall be expended, unless in the judgment of the State Engineer and Surveyor the State works cause or contribute to the damages complained of."

Same page, line 28, strike out the word "five," and insert the word "seven."

Same page, line 29, before the word "dollars," insert the words "five hundred."

Page 15, line 9, strike out the word "two," and insert the word "four."

Same page, after line 18, insert the following:

For the construction of a bridge over the west branch of the Hudson river, known as the Sacandaga river, near the village of Northville, in the county of Fulton, \$5,000, to be expended under the direction of the supervisor of the town of Northampton, upon vouchers to be approved by the Comptroller.

For the construction of a bridge over Grass river, in the town of Russell, county of St. Lawrence, on the road leading from Canton to Edwards, \$1,500, to be expended under the direction of the supervisor of said town, upon vouchers to be approved by the Comptroller.

Page 16, after line 16, insert the following:

For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through the reservation into the town of Perysburgh in the county of Cattaraugus, changing the line thereof, and for the erection and repair of bridges thereon, the sum of \$3,000, to be expended under the supervision of Millin T. Hill, James Welch and Henry Locke of Gowanda, who are hereby appointed commissioners for that purpose; and for repairing the highway upon such reservation, running from Versailles through the reservation into the town of Collins in Erie county to Lawton's Station, and for the erection and repair of bridges thereon, the sum of \$500, to be expended under the supervision of Elijah H. Lawton and Enos S. Hibbard, of Collins, who are hereby appointed commissioners for that purpose; each of the said five commissioners shall receive out of said sums two dollars per day for each full day occupied by him in and about such service, but the total compensation of said first-named three commissioners shall not exceed the sum of \$200; and the total compensation of said last-named two commissioners shall not exceed the sum of \$75; and no part of the sums hereby appropriated shall be paid over to the commissioners in each case until they shall have executed a bond to the people of this State, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners and truly account under oath to the Comptroller for all moneys received by them for the purposes aforesaid. and no part of said sum shall be expended except upon a plan and estimate of said work which will complete it within the sums above appropriated.

For building the necessary culverts and sluices, and for grading and



graveling the approaches to the bridge over the Onondaga creek on the Onondaga Indian reservation, and for repairing the roadway to the same, on what is called the William Hill road, the sum of \$1,500, or so much thereof as may be necessary, to be expended under the supervision of Daniel Pinckney, of the town of Onondaga, who is hereby appointed a commissioner for that purpose, who shall receive out of the sum herein appropriated three dollars per day for each full day occupied by him in such service, but his total compensation shall not exceed the sum of \$150, and no part of the sum herein appropriated shall be paid over to said commissioner until he shall have executed a bond to the people of this State, to be approved by the Comptroller, for the faithful performance of his duties as such commissioner.

For building a bridge to be constructed of iron, stone and wood across the Tonawanda creek, on the Tonawanda Indian reservation, where said creek is crossed by the Akron road, leading from the county of Erie into the county of Genesee, the sum of \$2,200, to be expended under the supervision of Joseph W. Holmes, Alpha E. Bennett and Daniel Norton, of Alabama, Genesee county, who are hereby appointed commissioners for that purpose, who shall receive out of the sum herein appropriated two dollars per day each for each full day occupied by them in such service, but their total compensation shall not exceed the sum of \$150; and no part of the sum herein appropriated shall be paid over to said commissioners until a like sum of \$2,200 shall be paid to them for the same purpose by the Tonawanda band of Seneca Indians from their annuities or trust fund interest, nor until such commissioners shall give a bond to the people of this State conditioned for the faithful performance of their duties as such commissioners.

Same page, line 22, strike out the words "five hundred," and insert the words "one thousand."

Page 18, after line 7, insert the following:

For the erection of magazines at such State armories as may be designated therefor by the Adjutant-General, and for laying flagging at such armories the sum of \$5,000, or so much thereof as may be necessary, to be expended under the direction of the chief of ordnance, upon plans to be approved by the Adjutant-general, and paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

The balance remaining unexpended of the sum of \$4,000, appropriated in chapter 272 of the Laws of 1879, "for aiding to uniform separate companies, troops and batteries, in cases where their uniform funds, owing to large enlistments, after their annual musters, shall be inadequate for that purpose," being the sum of \$2,000, is hereby re-appropriated, together with the additional sum of \$1,000, which is hereby appropriated, for such purpose and to aid in uniforming companies of regiments; which are in the same exigency for like cause, and for the purchase of such equipments for troops as may be ordered by the Adjutant-General, to be paid on his audit and the approval of the commander-in-chief.

Page 19, after line 12, insert the following:

For replacing the uniforms and equipments belonging to the twelfth separate company National Guard, which were injured or destroyed while that company was on duty at West Albany, under orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$1,600, or so

much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said company, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For replacing the uniforms and equipments belonging to the Fifty-fourth regiment, National Guard, which were injured or destroyed, while that regiment was on duty at Hornellsville, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$8,480, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For the Adjutant-General, for paying to the seventh separate company of infantry, third brigade, National Guard (formerly the third separate company of infantry, tenth brigade, third division, National Guard), as commutation for rations furnished said company from the 23d to the 29th day of July, 1877, both inclusive, while on duty under orders from the commander-in-chief, \$300, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

Page 20, line 31, after the word "dollars," insert the following:

For flagging and grading walks in yard, \$1,500; for general repairs, painting, relaying floors, purchase of tools, repairing fences, carts and wagons, \$1,000; for completion of drains and sewers, \$200; for repairing keyroom, putting up gun rack, for locks, keys and repairs in prison hall, \$500; for altering and repairing guard-house, \$250; for relaying floors and building stalls in stable, \$300; for making survey and preparing plans and specification for iron fence, \$267; for preparing plans and specifications, and superintending putting on of new roof to female prison, \$123.50; for new ice-house, \$500; for repairing roofs, \$1,000.

Page 21, line 19, after the word "dollars," insert the following: "for six hundred feet of hose, \$660."

Page 22, line 28, after the word "dollars," insert the following: "and for counsel fees in the Assembly investigation, in 1880, into the circumstances attending the lease of the Daunemora railroad, \$250."

For the Superintendent of State Prisons, to pay Charles D. Bruyn, assignee of Thomas Hamilton, for balance due said Hamilton on account of materials furnished and delivered to the authorities at the State prison at Sing Sing, the sum of \$2,238.93.

Same page, line 25, after the word "thousand," insert the words "seven hundred and fifty."

Same page, line 34, after the word "managers," insert the following: "and to provide a fund for carrying on its industries, to be used under the direction of the managers, \$50,000."

Page 23, line 2, after the word "dollars," insert the following: "for a bridge or an earth embankment and extension of railroad across the ravine south of the main asylum building, to the two groups of buildings south of the ravine, \$10,000; and for the completion of the laundry floor and enlargement of the steward's office, \$5,000."

Same page, line 31, after the word "necessary," insert the following: "and for steam boilers, setting same and connections; for renewals and repairs, including re-setting of boilers; for fixtures for



laundry, drying-room and ironing-rooms and equipment of east and west section ; for building driveway under Hudson river railroad bed ; for ventilating pipes ; for iron doors and window guards ; for extending water pipes in laundry ; for coal sheds and tramway ; for yard walls and fences ; for flooring ombras ; for draining and paving around portions of the buildings ; for plastering air ducts, and for salary of building superintendent, under whose direction the work is to be done, \$24,000."

For the Binghamton Asylum for the Chronic Insane, for window guards ; for repairing vestibules ; for painting interior wards, extensions and stairways ; for repairs to administration building, for building kitchen and store-room ; for drains and grading ; for excavating beneath floors of basement rooms ; for iron water tanks and connections ; for materials and labor for plumbing and gas fitting ; for furniture for wards, laundry, kitchen and administration building ; for fitting up dispensary ; for windows in towers ; for completing sewerage ; for telephonic communication with water-works and city of Binghamton ; for farming implements, stock, fertilizers and fencing ; for farm buildings ; for hay scales ; for gas works, laying mains and making connections ; for officers' salaries to close of current fiscal year ; for deficiency on account of maintenance ; for completing, heating and ventilation, including fan house ; and for alterations and repairs of south wing, \$64,590, to be expended, except as to existing indebtedness, on contracts approved by the Comptroller.

Same page, strike out from line 32 to line 35, both inclusive, as follows :

For the Asylum for the blind, at Batavia, for re-arranging heating apparatus and the purchase of new boilers, \$700.

Same page, after line 35, insert the following :

For the New York State Asylum for the Blind, at Batavia, for the construction of boiler house and laundry and purchase of heating and other apparatus for the same, \$26,768, to be expended on contracts to be approved by the Comptroller.

For the Thomas Asylum for Orphan and Destitute Indian Children, for perfecting bathing arrangement ; for building cellar under laundry ; for repairs to exterior of buildings, and for erecting building for nursery rooms and hospital, \$8,450.

The paragraph in chapter 272 of the Laws of 1879, which is in the following words : " Hereafter no person who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane or deaf and dumb, shall be admitted as an inmate therein," is hereby amended so as to read as follows :

" Hereafter no pauper who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane, or deaf and dumb, shall be admitted as an inmate therein."

Page 24, line 17, strike out the word " two " and insert the word " five."

Same page, lines 17 and 18, strike out the words " five hundred."

Same page, after the line 36, insert the following :

The new Capitol Commissioners are hereby charged with the care and superintendence of the south center portion of the new capitol building, when completed, and such other portions thereof as may be

ready for occupancy on the 1st day of January, 1881, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, and for that purpose and for deficiency in appropriations for the care of the capitol, the sum of \$25,000 is hereby appropriated, payable on the order of the new Capitol Commissioners as the same may be required by them.

Transfer the last item so as to follow the item for the Mariners' Family Asylum.

Page 25, after line 9, insert the following:

For Charles Van Benthuyssen and Sons, for printing, pursuant to concurrent resolution passed March 12, 1880, 2,000 copies of the Annual Report of the Superintendent of the Insurance Department, fire and life portion complete, 2,000 copies fire and marine portion of said report, and 1,500 copies of the life and casualty portion of said report, and for binding the same in full cloth, gilt, to be paid upon the certificate of the Superintendent of the Insurance Department of the completion and delivery of the said work, \$5,432.19; the said amount to be paid from the surplus fund in the treasury arising from the excess of moneys paid into the treasury by the Superintendent of the Insurance Department over and above the moneys disbursed on account of said department; for printing and binding, pursuant to the resolution of the Assembly adopted May 19, 1879, 2,625 sets, being 7,875 volumes, of the Annual Report of the Adjutant-General for 1868, being a complete roster of the officers of the volunteer forces of this State during the late war for the preservation of the Union, payable upon due certificate of the proper completion and delivery of the work, \$13,188.22, or so much thereof as may be necessary; for printing and binding 6,000 volumes of the Natural History of the State: volume five, Paleontology, text and plates, the sum of \$13,500, or so much thereof as may be required by the contracts for the publication of said work now in force; for printing testimony taken in the contested election case of Trowbridge against Tighe, in 1879, \$49.76; for printing testimony taken in the investigation of the Brooklyn bridge, in 1879, \$257.37; and for printing testimony taken in the investigation of the Kingston election case, \$163.80.

Page 27, strike out from line 3 to line 9, both inclusive, as follows:

For furnishing 934 copies of the New York Civil List pursuant to concurrent resolution of the Legislature passed February 5, 1878, to be paid on the certificate of the Secretary of State \$1,868.

Same page, line 16, strike out the word "six," and insert the word "seven."

Same page, line 17, strike out the words "seven hundred and fifty."

Same page, line 23, strike out the word "three," and insert the word "four;" and strike out the word "six," and insert the word "five."

Same page, line 24, strike out the words "and twenty-five."

Page 28, line 19, strike out the word "and," first occurring.

Same page, line 25, after the word "dollars," insert the following:

For printing and binding, in cloth, Proceedings of the University Convocation of 1876, \$500, to be paid on the certificate of the Secretary of the Board of Regents; for printing and binding, in cloth, the Manual of the Regents of the University for 1880, \$700, to be paid on the certificate of the Secretary of the Board of Regents; for printing, lithographing, binding and stationery furnished the State Museum of

Natural History, \$500, to be paid on the certificate of the Director of the Museum ; for printing 12,000 copies of the Report of the State Assessors, pursuant to concurrent resolution of the Legislature passed February 12, 1880, \$800 ; for printing and lithographing 1,000 copies of the geological map of the Catskill mountain region and the southern counties of the State, and printing the documents accompanying the same, \$2,000, or so much thereof as may be necessary, to be paid on the certificate of Secretary of the Board of Regents ; and for 6,000 copies of the Seventh Annual Report of the Adirondack Survey, furnished pursuant to concurrent resolution of the Legislature passed April 13, 1880, to be paid on the certificate of the Secretary of State, the sum of \$15,000.

Same page, strike out from line 26, to and including line 10, on page 29, as follows :

For Frank Brundage, the respondent in the action hereinafter named, and the appeals thereon, the sum of \$272.51, being the amount in full payment of the principal of three several judgments for costs against the People of this State, in the action commenced by the People of this State, on the relation of John T. Joyce against the respondent, to test the legality of his election, in November, 1878, as county judge of Niagara county, which judgments were docketed in the Niagara county clerk's office, respectively, on the 24th day of May, the 26th day of June, and the 18th day of October, 1879. The Comptroller shall pay the sum above appropriated, upon satisfaction of said three judgments, certified to be in due form by the Attorney-General.

Page 29, after line 10, insert the following :

For Mrs. Barbara Kennedy, widow of Captain John Kennedy, Junior, as a gratuity in full for all claims for damages for the loss by death of her husband, resulting from sickness occasioned by exposure and hardship while in the discharge of his duties as captain in the eighth regiment, National Guard, at Syracuse, under the orders of the Commander-in-Chief, during the riots of July, 1877, \$1,500.

Transfer the last item so as to follow the item Lawrence Hagar.

Also the following :

For building an addition to the State armory at Oswego, on lands recently purchased by the State for such purpose, for the use of a battery or troop of cavalry attached to the sixth brigade, National Guard, the sum of \$15,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State ; but no part of said sum shall be expended by them, except upon a contract for the completion of such addition within the limits of this appropriation.

Transfer the last item so as to follow the item for an armory at Poughkeepsie.

Also the following :

For the erection of an armory for the use of the seventeenth separate company of infantry, at Flushing, Queens county, the sum of \$9,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance ; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrances.

Transfer the last item so as to follow the item for armory at Oswego.

Same page, after line 32, insert the following :

## PAYABLE FROM THE UNITED STATES DEPOSIT FUND.

*Capital.*

For investment of the capital of the United States deposit fund, \$150,000, or so much thereof as may be necessary, in addition to all former appropriations for such purpose.

*Revenue.*

For the Comptroller to pay damages, attorney's costs and disbursements in the suit of Francis M. Thompson against the commissioners for loaning certain moneys of the United States for the county of Otsego, the sum of \$2,000, or so much thereof as may be necessary.

Your committee further report that they have agreed to recommend that the Assembly do concur in the amendments to the bill adopted in the Senate, after being amended in the conference so as to read as follows:

Page 5, after item for the electors of President, insert:

For the Comptroller, to pay the expenses of serving notices on occupants of lands to which the State acquired title from the tax sale of 1877, of procuring and recording deeds for and perfecting title to said lands, and of ascertaining the value of lands to which the State has obtained title from tax sales, the sum of \$4,000, or so much thereof as may be necessary; and for the purchase of fire-proof safe, for use in the executive chamber, \$600, to be expended under the direction of the Governor.

Page 9, after item for Ann Higgins, insert:

For Thomas J. Lawrence, corporal, company F, twenty-second regiment, National Guard, as a gratuity, who was permanently disabled for life while on duty as required by law in rifle practice, \$1,000.

Page 10, after line 30, insert the following:

For the annual salary of an entomologist, to be appointed by the Governor, in place of Asa Fitch, deceased, \$2,000

Page 13, after line 21, insert the following:

For the city of Utica, for assessment for the construction, in 1875, of the Third and Seventh ward sewer outlet in front of State property in said city, \$482.20; and for the Knox street sewer, \$52.33.

Page 16, after line 19, insert the following:

For the Soldiers and Sailors' Home, at Bath, for the erection of a hospital, \$10,000; for improvement of grounds, for fencing and for conducting farm, \$5,000; and for the erection of a chapel, \$5,000.

Page 19, after line 36, insert the following:

For deficiency in appropriations for the erection of the State armory at Newburgh, the sum of \$5,000, to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

Page 23, line 23, after the word "necessary" insert the following:

For the Buffalo asylum for the insane, for maintenance, \$15,000, or so much thereof as may be necessary; for grading and subsoiling garden; for fertilizer for grounds; for grass and garden seeds; and for fences, \$5,000.

Page 24, line 18, after the word "dollars" insert the following:

And for the erection of additional buildings for a primary and a graduating department for boys, \$65,000, but no part of this sum shall be expended except upon plans to be approved by the Comptroller.

For the society for the reformation of juvenile delinquents, on Randall's Island, for deficiency in appropriations for current expenses,

\$30,000; for alterations of, and additions to dormitory for employees, and for remodeling dining room, \$3,000; for the erection of a suitable building for storing coal, \$2,000, and for the erection of galleries in the chapel, and for furnishing and painting the same, \$3,000.

Your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill, which were adopted in the Senate, namely:

Page 5, after item for Blatchford and others, insert item for Denison and others, as follows:

For Hiscock, Gifford and Doheuy, as attorneys for Henry D. Denison and others, in the action hereinafter named, the sum of \$101,889.59, being the amount in full payment of the principal of a judgment for costs and damages against the People of this State in favor of Henry D. Denison, James J. Belden, A. Cadwell Belden and Thomas Gale, in an action commenced in the name of the People by the late Attorney-General Pratt against the said Denison, Belden, Belden and Gale, which judgment was docketed in the Albany county clerk's office on the 28th day of April, 1880; the Comptroller shall pay the above sum to the above-named attorneys upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

In case the Attorney-General has already taken, or shall, within 60 days after the passage of this act, take legal proceedings to set aside or modify the above-named judgment, no part of the sum above appropriated shall be paid except in accordance with the final decree, order or judgment which may be made by the court upon such proceedings.

Page 5, after item for stenographers in second judicial district insert:

To enable the Governor to carry out the provisions of chapter 134 of the Laws of 1878, and 306 of the Laws of 1879, the sum of \$25,000, or so much thereof as may be necessary, payable on vouchers to be approved by the Governor.

Page 6, strike out from line 12 to line 31, both inclusive, as follows:

For the Attorney-General, the sum of \$2,000 to pay counsel fees and expenses incurred on the retainer of Attorney-General Fairchild in the suit of the People against the Bank of North America, in the superior court in the city of New York; and the further sum of \$515 for services in divers suits, in 1878 and 1879, on the retainer of Attorney-General Fairchild.

Same page, after item for counsel fees in the prosecution of William E. Gray, insert:

For Frank S. Smith for services as counsel to the committee appointed by the Assembly of 1880, to investigate the matters attending the lease of the Dannemora railroad, \$250.

Page 8, strike out from line 22 to line 27, both inclusive, as follows:

For raising and reburnishing the monument erected to commemorate the capture of Major Andre, to be expended under the direction of the Monument Association of the capture of Andre, on vouchers to be approved by the Comptroller, \$1,000.

Same page, strike out from line 27 to line 35, both inclusive, and insert as follows:

For the relief of Carl Meisner, member of battery G, seventh division, National Guard, State of New York, who was permanently dis-



abled for life by the premature discharge of a cannon while on duty with his battery, at Elmira, N. Y., on the 30th day of May, 1879, \$1,500.

Page 11, strike out from line 1 to line 4, both inclusive, as follows :

For the State Cabinet of Natural History, for the purchase of the collection of objects of natural history owned by Charles D. Walcott, comprising not less than 12,000 specimens, \$4,000.

Same page, strike out from line 22 to line 24, both inclusive, as follows :

For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the capitol, \$5,000.

Page 19, strike out from line 13 to line 30, both inclusive, as follows :

For replacing the uniforms and equipments belonging to the ninth regiment of the National Guard, which were injured or destroyed while that regiment was on duty at West Albany, under the orders of the Commander-in-Chief; during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$7,738.50, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

Page 25, strike out from line 1 to line 9, both inclusive, as follows :

For the Mariners' Family Asylum, on Staten Island, to reimburse it for moneys paid for insurance, repairs, drainage and other improvements on and around the buildings, the sum of \$7,000, and for painting and plumbing, for building a new roof to main building and erection of new barn, the sum of \$3,000.

Your committee further report that they have agreed to recommend that the Senate do recede from its action on the following items and do concur therein after being amended in conference so as to read as follows :

Page 7: For deficiency in appropriations, for expenses of committees for investigation, to defray expenses for printing testimony and report of proceedings of the special committee on railroads, appointed under resolution of the Assembly of 1879, \$15,118.85, on vouchers to be approved by the Comptroller.

And your committee further report that they have agreed to recommend that the two Houses do concur in the following item as the same is proposed to be amended in conference ; namely :

For Auburn prison, for repairing roofs, \$1,000 ; for introduction of gas into cells, \$1,500 ; for apparatus and fixtures for heating the shops and extinguishing fires therein, \$2,000 ; for ventilation of wings, \$500 ; for rebuilding and enlarging shops, \$6,000 ; for repairing and refurnishing chapel and officers' quarters, \$1,000, and for library, \$500.

All of which is respectfully submitted.

ALBANY, May 21, 1880.

D. MCCARTHY,  
WATERS W. BRAMAN,  
JOHN C. JACOBS,

*Committee on the part of the Senate.*

J. W. HUSTED,  
T. G. ALVORD,  
W. P. MOOERS,  
C. M. TITUS,  
JOHN SHANLEY,

*Committee on the part of the Assembly.*

Mr. Skinner moved to concur in the report of the conference committee, with a further amendment in words following :

Line 616, after the word "dollars" insert the following : "And for deficiency in appropriations for the erection at Watertown \$11,643, or so much thereof as may be necessary."

Mr. Husted moved that the conference committee report on the supply bill, with amendments, be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the following resolutions :

*Resolved* (if the Assembly concur), 'That a respectful message be sent to the Governor, requesting the return of Senate bill No. 407, entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also, persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults, or any other structures in the cities of the State of New York," for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

*Resolved* (if the Assembly concur), That there be printed 1000 copies of the Report of the Superintendent of the Asylum for Insane Convicts at Auburn for the use of the Superintendent, and 500 copies for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Alvord, and at ten o'clock and thirty minutes, the House adjourned.

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## TUESDAY MORNING, MAY 25, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker stated that he should rule that no new matter could be considered or entertained by the House during the consideration of the report of the conference committee on the annual supply bill, but that the House must either adopt it or reject it, or non-concur, and call for a new conference committee.

The Senate sent for concurrence the following bills :

"An act to amend and provide for the printing and publication of an act entitled 'An act supplemental to the Code of Civil Procedure, and to amend certain provisions of the Revised Statutes applicable thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 613 of the Laws of 1857, entitled 'An act to incorporate the village of Kinderhook, in the county of Columbia, passed April 8, 1838,'" which was read the first time, and by unanimous consent was also read the second time.



On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to provide for the revision of the special and local laws affecting public interests in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was substituted for Assembly bill No. 809, now on order of third reading.

A message from the Senate was received in the words following:

IN SENATE, *May 20, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act establishing the compensation of the county clerks in the counties of Richmond and Franklin, in lieu of charges for all services rendered said counties."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Hogan, and by unanimous consent, the same was amended as follows:

Strike out all of section 2 and insert as follows:

§ 2. This act shall take effect, so far as its provisions apply to the county of Richmond, on the 1st day of January, 1882, and as far as its provisions apply to the county of Franklin, on the 1st day of January, 1883.

And as amended, passed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Havens	Root
Andrews	Cohen	Howland	Russell
Baker, C. S.	Comstock	Hurd	Seeley
Beach	Congdon	Ingersoll	Shanley
Beates	Cookinham	Kennedy	Sheridan
Benedict, E. D.	Cullinan	Lefever	Sherman
Benedict, T. E.	Curtis	Liddle	Shuit
Bennett	Cushing	Lindsay	Sipp
Bradley	Davis	McCabe	Sisson
Brennan	Deane	Miller	Skinner
Bridges	Douglass	Mooers	Strait
Brodsky	Duguid	Morgan	Terry
Bullock	Evans	Newman	Travis
Carpenter, E. A.	Ferris	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Fish	O'Brien	Tuttle, R. M.
Case	Fiske	Parker	Waterbury
Catlin	Fitzgerald	Phillips	Wells, J. L.
Chamberlain	Gorsline	Pitcher	Weston
Chickering	Gray	Potts	Wren
Childs	Griggs	Roberts	Youngs
Clark	Gwinup		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Ingersoll	Seeley
Andrews	Congdon	Kennedy	Shanley
Baker, C. S.	Costello	Lefever	Sheridan
Beach	Cullinan	Liddle	Shuit
Beates	Curtis	Lindsay	Sipp
Benedict, E. D.	Cushing	McCabe	Sisson
Benedict, T. E.	Davis	McDonald	Skinner
Bennett	Deane	Miller	Slingerland
Bradley	Douglass	Mooers	Strait
Brennan	Duguid	Morgan	Terpeny
Bridges	Evans	Newman	Terry
Brodsky	Ferris	Nowlan	Tozier
Bullock	Fish	O'Brien	Travis
Carpenter, E. A.	Fiske	Parker	Treanor
Carpenter, I. S.	Fitzgerald	Phillips	Tuthill, H. H.
Catlin	Gorsline	Pitcher	Tuttle, R. M.
Chamberlain	Gray	Potts	Waterbury
Chickering	Griggs	Rhodes	Wells, J. L.
Ohilds	Gwinup	Root	Weston
Clark	Howland	Russell	Wren
Clowes	Hurd	Sanders	Youngs
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, *May 24, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Braman, and by unanimous consent, the same was amended as follows :

Section 1, line 8 of engrossed bill, strike out the word "exclusive."

Section 2, lines 77, 78, 79 and 80, strike out the words: "And such recorder shall also have, within the city of Cohoes, all the powers and jurisdiction of a supreme court judge at chambers;" same section, lines 84 and 85, strike out the words "and the powers of a justice of the supreme court at chambers;" same section, lines 102, 103, 104, 105, 106 and 107, strike out the words "and shall be entitled to receive the sum of three dollars per diem for every day actually spent in such trial or hearing, to be audited, allowed and paid in the manner provided by law, and a like sum shall be deducted from the annual salary of said recorder."

And as amended, passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Seeley
Andrews	Cullinan	Liddle	Sheridan
Baker, C. S.	Curtis	Lindsay	Sherman
Beach	Cushing	McCabe	Shuit
Beates	Davis	McDonald	Sipp
Benedict, E. D.	Deane	Miller	Sisson
Benedict, T. E.	Douglass	Mooers	Skinner
Bennett	Duguid	Morgan	Steele
Bradley	Evans	Newman	Strait
Brennan	Ferris	Nowlan	Terry
Bridges	Fish	O'Brien	Tormey
Brodsky	Fiske	O'Connor	Travis
Bullock	Fitzgerald	Parker	Treanor
Carpenter, I. S.	Gorsline	Peck	Tully
Catlin	Gray	Phillips	Tuthill, H. H.
Chamberlain	Griggs	Pitcher	Tuttle, R. M.
Chickering	Gwinup	Potts	Waterbury
Clark	Howland	Rhodes	Wells, J. L.
Clowes	Hurd	Root	Weston
Cohen	Ingersoll	Russell	Wren
Comstock	Kennedy	Sanders	Youngs
Congdon			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sheridan
Andrews	Cullinan	Liddle	Sherman
Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Cushing	McCabe	Sipp
Beates	Davis	McTernan	Sisson
Benedict, E. D.	Deane	Miller	Skinner
Benedict, E. D.	Douglass	Mooers	Strait
Bennett	Duguid	Morgan	Terry
Bradley	Evans	Newman	Tormey
Brennan	Ferris	Nowlan	Tozier
Bridges	Fish	Parker	Travis
Brodsky	Fiske	Peck	Treanor
Bullock	Fitzgerald	Phillips	Tuthill, H. H.
Carpenter, E. A.	Gorsline	Pitcher	Tuttle, R. M.
Carpenter, I. S.	Gray	Potts	Waterbury
Catlin	Griggs	Rhodes	Wells, D. A.
Chamberlain	Gwinup	Roberts	Wells, J. L.
Chickering	Hayes	Root	Weston
Clark	Howland	Russell	Wiley

Clowes  
Comstock  
Congdon

Hurd  
Ingersoll  
Kennedy

Sanders  
Seeley  
Shanley

Wren  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following:

IN SENATE, *May 20, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to arrears of personal taxes in the city of New York."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Seebacher, and by unanimous consent, the same was amended as follows:

Section 1, line 1, after the word "within," strike out the words "one year" and insert "six months."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Oullinan	Liddle	Sherman
Andrews	Curtis	Lindsay	Shuit
Baker, C. S.	Cushing	McCabe	Sipp
Beach	Davis	McDonald	Sisson
Beates	Deane	Miller	Skinner
Benedict, E. D.	Duguid	Mooers	Steele
Benedict, T. E.	Evans	Morgan	Strait
Bennett	Ferris	Newman	Tallmadge
Bradley	Fish	Nowlan	Terpeny
Brennan	Fiske	Parker	Terry
Bridges	Fitzgerald	Peck	Tormey
Brodsky	Gibbs	Phillips	Tozier
Bullock	Gorsline	Pitcher	Travis
Carpenter, I. S.	Gray	Potter	Treanor
Case	Griggs	Potts	Tuthill, H. H.
Catlin	Gwinup	Rhodes	Tuttle, R. M.
Chamberlain	Hayes	Roberts	Waterbury
Chickering	Howland	Root	Wells, D. A.
Clark	Hurd	Russell	Wells, J. L.
Clowes	Husted	Sanders	Weston
Cohen	Ingersoll	Seeley	Wiley
Comstock	Kennedy	Shanley	Wren
Congdon	Lefever	Sheridan	Youngs
Cookinham			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.]

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{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Sheridan
Andrews	Cullinan	Lefever	Sherman
Baker, C. S.	Curtis	Liddle	Shuit
Beach	Cushing	Lindsay	Sipp
Beates	Davis	McCabe	Sisson
Benedict, E. D.	Deane	Miller	Skinner
Benedict, T. E.	Douglass	Mooers	Steele
Bennett	Duguid	Morgan	Tallmadge
Bradley	Evans	Newman	Terpeny
Brennan	Ferris	Nowlan	Titus
Bridges	Fish	O'Brien	Tormey
Brodsky	Fiske	Parker	Tozier
Bullock	Fitzgerald	Peck	Travis
Carpenter, E. A.	Gibbs	Phillips	Treanor
Carpenter, I. S.	Gorsline	Pitcher	Tuthill, H. H.
Case	Gray	Potts	Tuttle, R. M.
Oatlin	Griggs	Rhodes	Waterbury
Chamberlain	Gwinup	Roberts	Wells, D. A.
Chickering	Hayes	Root	Wells, J. L.
Clark	Howland	Russell	Weston
Clowes	Hurd	Sanders	Wiley
Comstock	Husted	Seeley	Wren
Congdon	Ingersoll	Shanley	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May 24*, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 601, entitled "An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry with the city of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	McCabe	Shuit
Andrews	Deane	McDonald	Sipp
Baker, C. S.	Douglass	McTernan	Sisson
Beach	Ferris	Miller	Skinner
Beates	Fish	Mitchell	Steele
Benedict, E. D.	Fiske	Mooers	Tallmadge
Bennett	Fitzgerald	Morgan	Terpeny
Bridges	Gibbs	Newman	Terry
Brodsky	Gillette	Nowlan	Titus
Bullock	Gorsline	O'Brien	Tormey
Carpenter, I. S.	Gray	O'Connor	Tozier

Case	Griggs	Parker	Travis
Catlin	Gwinup	Phillips	Treanor
Chamberlain	Hayes	Pitcher	Tuthill, H. H.
Chickering	Howland	Potter	Tuttle, R. M.
Childs	Hurd	Potts	Waterbury
Clark	Husted	Rhodes	Wells, D. A.
Clowes	Ingersoll	Roberts	Wells, J. L.
Comstock	Kennedy	Root	Weston
Congdon	Lefever	Russell	Wiley
Cookinham	Liddle	Seeley	Wren
Cullinan	Lindsay	Sheridan	Youngs
Curtis			

Those who voted in the negative, were  
Crapser

On motion of Mr. Treanor, and by unanimous consent, said bill was amended in words following:

Strike out all of section 2. Change number of 3d section to 2d section, and 4th to 3d.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sheridan
Andrews	Cushing	McCabe	Sherman
Baker, C. S.	Davis	McCarthy	Shuit
Beach	Deane	McDonald	Sipp
Beates	Duguid	Miller	Sisson
Benedict, T. E.	Evans	Mitchell	Skinner
Brennan	Fish	Mooers	Tallmadge
Bridges	Fiske	Morgan	Terpeny
Brodsky	Fitzgerald	Newman	Titus
Bullock	Gibbs	Nowlan	Torney
Carpenter, E. A.	Gillette	O'Brien	Tozier
Carpenter, I. S.	Gorsline	Parker	Travis
Case	Gray	Peck	Treanor
Catlin	Griggs	Phillips	Tuthill, H. H.
Chamberlain	Havens	Pitcher	Tuttle, R. M.
Chickering	Hayes	Potter	Waterbury
Childs	Howland	Potts	Wells, D. A.
Clancy	Hurd	Roberts	Wells, J. L.
Clark	Ingersoll	Root	Weston
Clowes	Kennedy	Russell	Wiley
Cohen	Lefever	Sanders	Wren
Congdon	Liddle	Seeley	Youngs
Cullinan			

Those who voted in the negative, were  
Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 8, strike out the word "Niagara."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Kennedy	Shuit
Baker, C. S.	Cushing	Lefever	Sipp
Beach	Davis	Liddle	Sisson
Beates	Deane	Lindsay	Steele
Benedict, E. D.	Douglass	McAvoy	Strait
Brennan	Duguid	McCarthy	Tallmadge
Bridges	Ferris	McDonald	Terpeny
Brodsky	Fish	Miller	Titus
Bullock	Fiske	Mitchell	Tormey
Carpenter, E. A.	Gibbs	Mooers	Tozier
Carpenter, I. S.	Gillette	Morgan	Treanor
Case	Gorsline	Nowlan	Tuthill, H. H.
Catlin	Gray	Parker	Tuttle, R. M.
Chamberlain	Griggs	Peck	Waterbury
Chickering	Gwinup	Potter	Wells, J. L.
Childs	Hayes	Potts	Weston
Clark	Hoffman	Rhodes	Wiley
Clowes	Howland	Roberts	Youngs
Comstock	Hurd	Russell	Mr. Speaker
Congdon	Husted	Seeley	

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county.'"

"An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney in the county of Oswego, to facilitate the construction of the New York and Oswego Midland railroad."

"An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to authorize and require the Secretary of State to collect and report labor statistics."

"An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land.'"

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incor-



poration of religious societies, and of the several acts amendatory thereof.' ”

“An act for the relief of James B. Brady.”

“An act to amend chapter 17 of the Laws of the second meeting of the fifty-first session of the Legislature of the State of New York, entitled ‘An act to incorporate the contributors to the Northern dispensary of the city of New York.’ ”

“An act authorizing the Adjutant-General, the Inspector-General, and the Commissary-General to audit the claim of the eleventh regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war.”

“An act to amend chapter 252 of the Laws of 1879, entitled ‘An act to amend chapter 319 of the Laws of 1848, entitled ‘An act for the incorporation of benevolent, charitable, scientific and missionary societies.’ ”

The Senate returned the bill entitled “An act making appropriation for the payment of certain awards made by the State Board of Audit,” with a message that they had passed the same with the following amendments:

Strike out all after the words “from the general fund,” and insert the following:

For payment of awards made by the State Board of Audit, the sum of \$150,648.25, or so much thereof as may be necessary, as follows: For Francis Swift, \$39,375.12, and for interest thereon, \$2,362.50; for Charles A. Danolds, \$65,000, and for interest thereon, \$3,900; for George Worthington, \$25,000, and for interest thereon, \$1,500; for Timothy J. Sullivan, \$8,346.18; for the county of Erie, \$2,500; for Allen Rutherford, \$2,600.10, and for Robert F. McIntyre, \$61.35.

Within three months after the passage of this act, either or all of the parties mentioned in the first section hereof in whose favor awards were made by the State Board of Audit, may serve a notice of appeal on the State Board of Audit, and the Attorney-General appealing to the Court of Appeals from the audit made by said Board of Audit to said party or parties, and the said Board of Audit shall, within ten days after said notice of appeal shall be served, file with the clerk of the Court of Appeals a true copy of all papers, proceedings, evidence and audit made in said claim or claims so appealed by said person or persons, and shall certify that the same is a true copy. Jurisdiction is hereby conferred upon said Court of Appeals to hear and determine said appeal on the certified copy of said proceedings, papers, evidence and audit, and the said court shall render judgment and adjudicate and determine the same between the State and said person or persons so appealing as shall be equitable and just, and shall have full authority to consider both the law and the evidence in making such determination, and may affirm, modify, or reverse said audit or audits. Said appeal shall be placed on the preferred calendar of said court, and be brought on for hearing and argument on the usual notice to be served on the Attorney-General, who is directed to appear for and on behalf of the State. The party or parties appealing shall cause copies of said proceedings, papers, evidences, audit and certificate to be printed for the use of the court and the Attorney-General, and shall serve at least five copies on the Attorney-General, with notice of hearing and argument. No part or portion of the sum appropriated by the first section

of this act shall be paid until after such appeal and the final determination of the Court of Appeals, and such sum or sums only shall be paid as directed by said court in its determination, except in such cases as the Attorney-General shall advise the Comptroller there are no objections against payment, except the cases of Charles A. Danolds, George Worthington, Timothy J. Sullivan, and Francis Swift, shall not be paid until after appeal and determination of said court.

Section 3. This act shall take effect immediately.

Mr. Brennan moved to non-concur in the amendments of the Senate to the above entitled bill, and request a conference committee on the part of the House, and request like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" with a message that they had passed the same with the following amendments:

Strike out all after the enacting clause, and insert the following:

Section 1. Sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled "An act to incorporate the city of Watertown," are hereby amended so as to read as follows:

§ 4. The annual election of officers of said city shall be held on the first Tuesday after the first Monday of November in each year, at such place or places in each ward within said city as the common council may designate, and at least eight days' notice of the time and places of such election shall be given by the chamberlain of said city by publication in all the newspapers printed in said city, and by putting and posting at least six printed notices thereof in each ward, at least eight days prior thereto.

§ 5. The polls of every election shall be opened at sunrise, and kept open until sunset.

§ 2. Section 1 of title 5 of chapter 714 of the Laws of 1869, entitled "An act to incorporate the city of Watertown," as amended by chapter 810 of the Laws of 1871, and as further amended by chapter 368 of the Laws of 1876, is hereby further amended so as to read as follows:

§ 1. The common council may cause to be raised by taxation, upon the taxable property in the city, such sum as in their judgment the wants and welfare of the city may demand in each year; for a fund to be denominated the "highway fund," a sum not exceeding fourteen cents on every one hundred dollars of the valuation of property upon the assessment roll; for a fund to be denominated the "general fund," a sum not exceeding fourteen cents upon every one hundred dollars of the valuation of property on the assessment roll; for a fund to be denominated "the contingent fund," a sum not exceeding seven cents upon every one hundred dollars of the valuation of property upon the assessment roll; and for a fund to be denominated "the sewer fund," a sum not exceeding three cents upon every one hundred dollars of the valuation of property upon the assessment roll; and the common council of the said city are authorized and directed, when necessary, to borrow, in anticipation of the one-year's amount, or any part thereof, a sum not exceeding the one-half part of the taxes to be raised, levied and collected as aforesaid.

pairing roofs, \$1,000 ; for introduction of gas into cells, \$1,500 ; for apparatus and fixtures for heating the shops and extinguishing fires therein, \$2,000 ; for ventilation of wings, \$500 ; for rebuilding and enlarging shops, \$6,000 ; for repairing and refurnishing chapel and officers' quarters, \$1,000, and for library, \$500."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Crapser moved to non-concur in so much of said report as was contained in lines 567 to 572, inclusive, as follows : " For the erection of an armory for the use of the seventeenth separate company of infantry, at Flushing, Queens county, the sum of \$9,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance ; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrances."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

( AYES 37 )  
( NOES 61 )

Those who voted in the affirmative, were

Baker, B. F.	Curtis	Havens	Peck,
Beach	Douglass	Howland	Rhodes
Brennan	Ellis	Liddle	Sherman
Bridges	Evans	McAvoy	Skinner
Carpenter, E. A.	Fish	McCabe	Slingerland
Carpenter, I. S.	Gillette	McTernan	Tozier
Chickering	Griggs	Miller	Tuttle, R. M.
Childs	Grosse	Mitchell	Van Valkenburgh
Cookinham	Gwinup	Parker	Varnum
Crapser			

Those who voted in the negative, were

Alvord	Dougherty	Morgan	Sipp
Andrew	Duell	Nowlan	Sisson
Baker, C. S.	Ferris	O'Brien	Tallmadge
Benedict, E. D.	Fitzgerald	O'Connor	Terpeny
Bradley	Gorsline	Phillips	Terry
Brotsky	Gray	Pitcher	Titus
Bullock	Hagan	Potter	Tormey
Case	Hayes	Potts	Travis
Catlin	Hurd	Roberts	Treanor
Chamberlain	Husted	Root	Tuthill, H. H.
Comstock	Ingersoll	Russell	Walsh
Congdon	Kennedy	Seeley	Waterbury
Costello	Lefever	Shanley	Wells, D. A.
Cullinan	McDonald	Sheridan	Wren
Cushing	Mooers	Shuit	Youngs
Davis			

Mr. E. A. Carpenter moved to non-concur in so much of said report as was contained in lines 214 to 219, inclusive, as follows : " For the State Normal and Training School, at Brockport, for addition to building, \$20,000 ; for steam heating apparatus, \$12,148 ; for tin roofing of old buildings, \$1,352 ; for furniture, \$2,000 ; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Ellis moved to non-concur in so much of said report as was contained in lines 679 to 687, inclusive, as follows: "For replacing the uniforms and equipments belonging to the Ninth Regiment of the National Guard, which were injured or destroyed while that regiment was on duty at West Albany, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$7,738.50, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Peck moved to non-concur in so much of said report as was contained in lines 675 to 676, inclusive, as follows: "For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the capitol, \$5,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 19 }  
{ NOES 56 }

Those who voted in the affirmative, were

Brennan	Clowes	Fish	Slingerland
Bridges	Crapser	Grosse	Tuthill, H. H.
Carpenter, E. A.	Curtis	Gwinup	Varnum
Case	Douglass	Howland	Wren
Chickering	Ellis	Peck	

Those who voted in the negative, were

Alvord	Davis	Miller	Shuit
Andrews	Deane	Mitchell	Sisson
Baker, B. F.	Duguid	Mooers	Tallmadge
Baker, C. S.	Ferris	Nowlan	Terpeny
Beates	Fiske	O'Brien	Terry
Benedict, E. D.	Gorsline	O'Connor	Titus
Bradley	Hayes	Phillips	Tormey
Brodsky	Hurd	Pitcher	Tozier
Bullock	Husted	Potts	Travis
Carpenter, I. S.	Ingersoll	Roberts	Tuttle, R. M.
Clark	Kennedy	Russell	Walsh
Cohen	Lefever	Seeley	Waterbury
Comstock	Lindsay	Shanley	Wells, J. L.
Cushing	McCabe	Sherman	Youngs

Mr. Slingerland moved to non-concur in so much of said report as was contained in lines 224 to 230, inclusive, as follows: "For the purchase of 1,250 copies of volume one of Hough's Classified Abstract of the Laws of New York, during the first century of the State government, at a rate not to exceed four dollars per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the Session Laws of this State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would con-

cur in the report of said conference committee, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Deane	Liddle	Sheridan
Andrews	Dougherty	Lindsay	Sherman
Baker, B. F.	Douglass	Low	Shuit
Baker, C. S.	Duell	McAvoy	Sipp
Beates	Duguid	McCabe	Sisson
Benediot, E. D.	Evans	McTernan	Tallmadge
Bradley	Ferris	Miller	Terpeny
Brennan	Fiske	Mitchell	Terry
Bridges	Gillette	Mooers	Titus
Brodsky	Gorsline	Morgan	Tormey
Bullock	Gray	Nowlan	Tozier
Carpenter, I. S.	Griggs	O'Brien	Travis
Case	Grosse	Phillips	Tuthill, H. H.
Catlin	Hagan	Pitcher	Tuttle, R. M.
Chamberlain	Hayes	Potter	Varnum
Childs	Hoffman	Potts	Walsh
Clark	Howland	Roberts	Waterbury
Clowes	Hurd	Root	Wells, D. A.
Comstock	Husted	Russell	Wells, J. L.
Congdon	Ingersoll	Sanders	Weston
Cullinan	Kennedy	Seeley	Wren
Davis	Lefever	Shanley	Youngs

Those who voted in the negative, were

Beach	Crapser	Havens	Skinner
Benedict, T. E.	Curtis	McCarthy	Slingerland
Bennett	Cushing	Newman	Steele
Carpenter, E. A.	Ellis	O'Connor	Strait
Chickering	Fish	Parker	Treanor
Cohen	Gibbs	Peck	Van Valkenburgh
Cookinham	Gwinup	Rhodes	Wiley
Costello			

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

When the name of Mr. Cookinham was called, he asked to be and was not excused from voting.

Mr. Speaker announced as the committee of conference on Assembly bill No. 697, entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," Messrs. Brennan, Alvord, Kennedy, I. S. Carpenter and Ellis.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate sent for concurrence the following resolution :

*Resolved* (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 328, entitled "An act further to regulate the admission to this State of marine insurance companies from other countries than the United States."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Husted, from the special committee, to which was referred Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879,'" reported in words following:

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game.'"

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

Section 1. Section 23 of chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose, wild deer, birds and fish, and other game," is hereby amended so as to read as follows:

§ 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, in the waters of Lake Ontario, on the American side thereof, for the distance of three miles from the mouth of the Niagara river, or in Onondaga, Oneida, Seneca, or Cross lakes, or in any of their outlets or tributaries, or in the American waters of the Niagara river above Niagara Falls, in any way or manner or by any devices whatever except with that of hook and line; and any person catching or killing any fish, except minnows, in any of the above named waters, shall be liable to a penalty of \$100 for each and every offense. No person shall kill or catch, or attempt to kill or catch, any fish except minnows, bull heads, eels, suckers and catfish, in any other of the fresh waters, or in any of the canals in this State, or in the American waters of the St. Lawrence river, in any way or manner or by any device whatever except that of angling by hook and line, save only in the following waters, namely: The Hudson river below the dam at Troy, Black lake, in the county of St. Lawrence, St. Regis river, Grass river, and Racket river, below the line of the Ogdensburgh and Lake Champlain Railroad, and in Lake Ontario except Great Sodus bay, Port bay, East bay, in the county of Wayne, Henderson harbor, or Henderson bay, in the county of Jefferson, and also except in Lake Champlain, during the month of October and the first fifteen days in November, and also except in the waters of the Walkill river within the county.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Costello	Kennedy	Shanley
Andrews	Crapser	Lefever	Sheridan
Baker, B. F.	Cullinan	Liddle	Sherman
Baker, C. S.	Curtis	Low	Shuit
Beach	Davis	McAvoy	Sipp
Beates	Deane	McCabe	Sisson



Benedict, E. D.	Dougherty	McCarthy	Skinner
Benedict, T. E.	Douglass	McDonald	Strait
Bennett	Duell	Mead	Tallmadge
Bradley	Duguid	Miller	Terry
Brennan	Ellis	Mitchell	Tormey
Brodsky	Fish	Morgan	Tozier
Bullock	Fitzgerald	Nowlan	Travis
Carpenter, E. A.	Gibbs	O'Brien	Treanor
Carpenter, I. S.	Gorsline	Phillips	Van Valkenburgh
Case	Grosse	Pitcher	Varnum
Catlin	Gwinup	Rhodes	Walsh
Chamberlain	Havens	Roberts	Waterbury
Clowes	Hayes	Root	Wells, D. A.
Cohen	Hoffman	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Wiley
Congdon	Husted	Seeley	Youngs
Cookinham	Ingersoll		

Those who voted in the negative, were

Bridges	Evans	Howland	Peck
Childs	Ferris		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor, for amendment, the following bills:

Assembly bill entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

"An act to amend chapter 441, Laws of 1864."

Assembly bill entitled "An act to reduce the expenses of the improvement commission of Long Island City."

*Ordered*, That the Clerk deliver said resolutions to the Governor.

Mr. Husted moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between 40th and 42d streets," was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

After debate,

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 58 }  
{ NOES 48 }

Those who voted in the affirmative, were

Alverd	Gorsline	O'Connor	Terry
Andrews	Hagan	Pitcher	Thilemann
Baker, B. F.	Havens	Potter	Titus
Benedict, E. D.	Hayes	Potts	Tozier



Bennett	Hurd	Rhodes	Travis
Carpenter, I. S.	Husted	Root	Van Valkenburgh
Catlin	Ingersoll	Russell	Varnum
Chickering	Kennedy	Sanders	Waterbury
Olowes	Liddle	Seeley	Wells, D. A.
Cohen	Lindsay	Shanley	Wells, J. L.
Cookinham	Low	Sheridan	Weston
Davis	McCabe	Shuit	Wiley
Fiske	Mooers	Sisson	Wren
Gibbs	Morgan	Strait	Youngs
Gillette	Newman		

Those who voted in the negative, were

Baker, C. S.	Comstock	Ferris	Nowlan
Beach	Congdon	Fish	Parker
Benedict, T. E.	Costello	Grosse	Peck
Bradley	Crapser	Gwinup	Sherman
Brennan	Cullinan	Hoffman	Sipp
Brodsky	Curtis	Howland	Skinner
Bullock	Cushing	Lefever	Slingerland
Carpenter, E. A.	Deane	McAvoy	Terpeny
Case	Dougherty	McCarthy	Treanor
Chamberlain	Douglass	McDonald	Tuthill, H. H.
Childs	Ellis	Miller	Tuttle, R. M.
Clark	Evans	Mitchell	Walsh

A message from the Senate was received and read informing of concurrence in the following bills :

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act supplementary to chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof.'"

"An act to legalize the official acts of Daniel T. Cornell as notary public."

"An act to incorporate the Grand Council of the Royal Arcanum of the State of New York."

"An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

"An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

"An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock."

"An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

"An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway."

"An act to incorporate Alert Hose Company No. 3, of Medina, New York."

"An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages.'"

"An act to amend chapter 476 of the Laws of 1869, entitled 'An act

to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester.' ”

“An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York.”

“An act to amend section 1 of chapter 792 of the Laws of 1866, entitled ‘An act to incorporate the village of Port Richmond, in the county of Richmond.’ ”

“An act to further amend an act entitled ‘An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario, and amended by chapter 200 of the Laws of 1879.’ ”

“An act relating to certain streets and avenues in Astoria, Long Island City.”

“An act to repeal chapter 47 of the Laws of 1879, entitled ‘An act authorizing the reduction of pay of certain town officers in the county of Sullivan.’ ”

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled “An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings,” with a message that they have agreed to the report of the conference committee to the above entitled bill.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Deane moved to lay all order of business on the table, for the purpose of taking up the concurrent resolution relative to adjournment, in words following:

*Resolved* (if the Assembly concur), That this Legislature will adjourn *sine die* on Friday, the 21st instant, at four o'clock in the afternoon of that day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Skinner moved to amend said resolution by striking out all after the word “adjourn,” and insert in lieu thereof “*sine die* on Thursday at 12 o'clock, noon.”

Mr. Tozier moved to amend by striking out “Thursday at 12 o'clock, noon,” and insert in lieu thereof “Wednesday, 4 P. M.”

Mr. Husted moved the previous question.

Mr. Speaker put the question “Shall the main question now be put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Tozier, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Skinner, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, as amended, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein, with amendments.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

*Report of the sub-committee of the whole.*

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 689, printed No. 602, entitled “An act

to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850,' reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 916, printed No. 758, entitled "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land,' passed April 3, 1849," reported in favor of the passage of the same, with an amendment as follows :

To amend the title so that it will read :

"An act to amend chapter 193 of the Laws of 1849, entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 989, printed No. 286, entitled "An act for the relief of Thomas Cottman," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 990, printed No. 254, entitled "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,' and also to amend chapter 455 of the Laws of 1851, entitled 'An act to extend the 'act in relation to suits by and against joint-stock companies and associations,' to companies having a joint or common interest in property,'" reported in favor of the passage of the same without amendment.

Also,

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 929, printed No. 262, entitled "An act for the relief of Lawrence Collins," reported in favor of the passage of the same without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That said bills be engrossed for a third reading.

The hour of two having arrived, the House took a recess until 4 P. M.

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#### FOUR O'CLOCK, P. M.

The House again met.

The Senate returned Senate bill entitled "An act to amend chapter 863, Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' and the various amendments thereof," with a message that they have agreed to the report of the conference committee, and as amended by the Assembly.

*Ordered*, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing of concurrence in the Assembly amendments to the following resolution :

*Resolved* (if the Assembly concur), That this Legislature will adjourn, sine die, on Friday the 21st inst., at 4 o'clock in the afternoon of that day.

*Ordered*, That the Clerk return said resolution to the Senate.

Mr. Speaker directed the Clerk to call the roll of members to ascer-

tain if a quorum of members was present, and the following members answered to their names :

Alvord	Congdon	Liddle	Skinner
Andrews	Cookinham	Lindsay	Strait
Baker, B. F.	Crapser	Low	Tallmadge
Beates	Curtis	McCabe	Terpeny
Benediot, T. E.	Deane	Mooers	Titus
Bennett	Douglass	Morgan	Tormey
Bradley	Duguid	Parker	Travis
Bridges	Ellis	Phillips	Tuthill, H. H.
Brodsky	Fiske	Pitcher	Tuttle, R. M.
Bullock	Fitzgerald	Potts	Varnum
Carpenter, E. A.	Gorsline	Rhodes	Warner
Case	Griggs	Root	Waterbury
Oatlin	Gwinup	Russell	Wells, D. A.
Chickering	Hagan	Shanley	Wells, J. L.
Childs	Havens	Sheridan	Wren
Clowes	Howland	Sherman	Mr. Speaker
Cohen	Lefever	Shuit	

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A quorum being present.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 706), entitled "An act making an appropriation for the payment of an award by the canal appraisers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Chickering, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Seeley
Andrews	Cookinham	Liddle	Shanley
Baker, B. F.	Cullinan	Lindsay	Sherman
Baker, C. S.	Curtis	Low	Shuit
Beach	Cushing	McAvoy	Sipp
Beates	Davis	McCabe	Sisson
Benedict, E. D.	Deane	Mead	Skinner
Benediot, T. E.	Douglass	Miller	Slingerland
Bennett	Duell	Mooers	Strait
Bradley	Duguid	Morgan	Terpeny
Bridges	Ellis	Nowlan	Thilemann
Brodsky	Ferris	O'Connor	Titus
Bullock	Fish	Parker	Tozier
Carpenter, E. A.	Fiske	Peck	Travis
Carpenter, I. S.	Gorsline	Phillips	Treanor
Case	Gray	Pitcher	Tuthill, H. H.
Cohen	Griggs	Potts	Tuttle, R. M.
Chamberlain	Havens	Rhodes	Van Valkenburgh
Chickering	Hayes	Roberts	Waterbury
Clancy	Howland	Root	Wells, D. A.
Clark	Hurd	Russell	Wells, J. L.
Clowes	Kennedy	Sanders	Wren
Cohen			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 222), entitled "An act to amend chapter 123 of the Laws of 1854, entitled 'An act to promote medical science,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 644), entitled "An act to provide for the publication of a list of regular physicians in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 342), entitled "An act to amend the Code of Civil Procedure, passed June 2, 1876, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Titus, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 337), entitled "An act for the prevention of accidents to children," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Speaker (introductory No. 1157), entitled "An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid moved to non-concur in the amendments of the Senate to Assembly bill No. 604, "to regulate transportation of freight by railroad corporations," and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee, Messrs. Duguid, Skinner, Low, Tuttle, and T. E. Benedict.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

The Senate returned Assembly bill entitled "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage

in cities of 16,000 inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities," with a message that they have concurred in the passage of the same with the following amendments:

Insert new section as follows:

"No vote shall be received at any general election in this State unless the name of the person offering to vote be on the said registry, made on the Friday preceding the election, except that the person offering to vote in any district not in an incorporated city, nor in an incorporated village having over 10,000 inhabitants, shall furnish to the board of inspectors his affidavit giving his reasons for not appearing on the day of counting and verifying the list, and prove by the oath of a householder, of the district in which he offers his vote, that he knows such person to be an inhabitant of the district; and any person whose name is on the registry may be challenged, and the same oaths shall be put as are now prescribed by law. At any general election hereafter held in this State, any of the inspectors of such election may take the affidavit herein required by law to be furnished by persons offering to vote, whose names are not on the registry of electors; and such inspectors, or one of them, shall, upon request, take and certify such affidavit without fee and reward. All other officers, authorized by law to take affidavits, shall, at all times, upon request, take and certify any affidavit so required to be furnished as aforesaid without any charge therefor."

Change section 20 to section 21.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Sherman
Baker, B. F.	Crapser	Kennedy	Shuit
Baker, C. S.	Cullinan	Lefever	Sipp
Beach	Curtis	Liddle	Skinner
Beates	Davis	Lindsay	Slingerland
Benedict, E. D.	Deane	Low	Tallmadge
Benedict, T. E.	Douglass	McCabe	Terpeny
Bradley	Duell	McCarthy	Titus
Bridges	Duguid	Mooers	Tozier
Brodsky	Ellis	Morgan	Travis
Bullock	Ferris	Phillips	Tuthill, H. H.
Carpenter, I. S.	Fish	Pitcher	Tuttle, R. M.
Catlin	Fiske	Potts	Varnum
Chamberlain	Fitzgerald	Roberts	Warner
Chickering	Gorsline	Root	Waterbury
Clark	Griggs	Russell	Wells, J. L.
Clowes	Gwinup	Sanders	Wren
Congdon	Havens	Seeley	Mr. Speaker

Those who voted in the negative, were

Bennett	Dougherty	Rhodes	Thilemann
Clancy	McAvoy	Shanley	Tormey
Cohen	Parker	Stralt	Treanor



*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to enable any town to abolish the office of railway commissioner, and to authorize the supervisor of such town to discharge the duties now pertaining to said office," with a message that they have concurred in the same with the following amendments, viz. :

Vote on the final passage of within entitled bill reconsidered, and bill passed with the following amendment :

Add as section 7 the following:

§ 7. The counties of Livingston, Wyoming, Steuben and Cattaraugus are hereby exempted from the provisions of this act.

Mr. Alvord moved to concur in the amendments of the Senate, amended so as to include the county of Onondaga.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clowes	Howland	Shuit
Andrews	Cohen	Kennedy	Sipp
Baker, B. F.	Congdon	Lefever	Sisson
Baker, C. S.	Cookinham	Liddle	Skinner
Beach	Crapser	Lindsay	Slingerland
Beates	Oullinan	McCabe	Strait
Benedict, E. D.	Cushing	McCarthy	Terpeny
Benedict, T. E.	Deane	Mooers	Thilemann
Bennett	Douglass	Morgan	Titus
Bradley	Duell	O'Connor	Tormey
Bridges	Duguid	Parker	Tozier
Brodsky	Ellis	Phillips	Travis
Bullock	Fish	Pitcher	Treanor
Carpenter, I. S.	Fiske	Potts	Tuthill, H. H.
Case	Fitzgerald	Rhodes	Tuttle, R. M.
Catlin	Gibbs	Root	Varnum
Chamberlain	Gorsline	Russell	Warner
Chickering	Gray	Seeley	Waterbury
Clancy	Griggs	Sheridan	Wells, J. L.
Clark	Gwinup	Sherman	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Shanley called from the table a concurrent resolution in the words following :

*Whereas*, The Congress of the United States has provided by law for celebrating the one hundredth anniversary of the treaty of peace and the recognition of American independence, by holding an international exhibition of arts, manufactures, and the products of the soil and mine, in the city of New York, in the State of New York, in the year 1883, subject always to the supervision and under the auspices of the Government of the United States; and,

*Whereas*, The great commercial metropolis of this State has been



recognized as the appropriate place for such celebration and exhibition; and,

*Whereas*, Such celebration and exhibition will redound no less to the honor and glory than to the advantage and growth of this State; therefore, be it

*Resolved* (if the Assembly concur), That they most cheerfully and earnestly approve of the international exhibition to be held in the city of New York in the year 1883, as above recited, and declare that it is the duty of the State to take such action as may be necessary to insure its success, and to carry into effect the purposes of the said act of Congress.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act enabling any corporation created by act of Congress of the United States to acquire, hold, use, and improve real estate for the purposes of an international exhibition," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sheridan
Andrews	Curtis	Liddle	Sherman
Baker, B. F.	Cushing	Lindsay	Shuit
Baker, C. S.	Davis	McAvoy	Sipp
Beach	Deane	McCabe	Sisson
Beates	Dougherty	McCarthy	Skinner
Benedict, E. D.	Duell	Mead	Slingerland
Benedict, T. E.	Duguid	Mooers	Strait
Bennett	Ellis	Morgan	Tallmadge
Bradley	Ferris	Newman	Terpeny
Brodsky	Fish	Nowlan	Thilemann
Bullock	Gibbs	Parker	Titus
Carpenter, I. S.	Gillette	Peck	Tormey
Case	Gorsline	Phillips	Tozier
Catlin	Gray	Pitcher	Travis
Chamberlain	Gwinup	Potts	Treanor
Chase	Havens	Rhodes	Tuthill, H. H.
Chiokering	Hayes	Roberts	Tuttle, R. M.
Childs	Howland	Root	Varnum
Clark	Hurd	Russell	Warner
Clowes	Husted	Sanders	Waterbury
Cohen	Ingersoll	Seeley	Wells, D. A.
Congdon	Kennedy	Shanley	Wells, J. L.
Cookinham			

Those who voted in the negative, were

Orapser

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act in relation to the Methodist Episcopal Church in the city of New York," with a

message that they have concurred in the same, with the following amendments:

Section 1, lines 3 and 4, strike out the words "the Ladies' Union Aid Society of."

Amend the title so as to read as follows.

"An act in relation to the Methodist Church Home in the city of New York."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Seeley
Andrews	Davis	Liddle	Shanley
Baker, B. F.	Deane	Lindsay	Sheridan
Baker, O. S.	Dougherty	Low	Sherman
Beach	Douglass	McAvoy	Shuit
Beates	Duell	McCabe	Sipp
Benedict, E. D.	Duguid	McCarthy	Sisson
Benedict, T. E.	Ellis	McDonald	Skinner
Bennett	Evans	Mead	Slingerland
Bradley	Ferris	Miller	Strait
Bridges	Fish	Mitchell	Tallmadge
Brodsky	Fiske	Mooers	Terpeny
Bullock	Fitzgerald	Morgan	Titus
Carpenter, I. S.	Gibbs	Newman	Tormey
Case	Gillette	Nowlan	Tozier
Chase	Gorsline	Parker	Travis
Chickering	Gray	Peck	Treanor
Childs	Griggs	Phillips	Tuthill, H. H.
Clark	Gwinup	Pitcher	Tuttle, R. M.
Clowes	Hayes	Potts	Varnum
Cohen	Howland	Rhodes	Warner
Congdon	Hurd	Roberts	Waterbury
Cookinham	Husted	Root	Wells, D. A.
Crapser	Ingersoll	Russell	Wells, J. L.
Cullinan	Kennedy	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to grant relief to the sureties of trustees, committees or guardians appointed by or accountable to the Supreme Court, or to any county court of the State," with a message that they have concurred in the passage of the same, with the following amendments:

Section 4, line 4, after the word "good" insert "and paid into court or other satisfactory and sufficient security be given by such committee, trustee or guardian."

Strike out all of section 8, and make section 9 section 8.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Sherman
Andrews	Deane	McAvoy	Shuit
Baker, B. F.	Dougherty	McCabe	Sipp
Baker, C. S.	Douglass	McCarthy	Sisson
Beach	Duell	McDonald	Skinner
Beates	Duguid	Miller	Slingerland
Benedict, E. D.	Ellis	Mitchell	Strait
Benedict, T. E.	Evans	Mooers	Tallmadge
Bennett	Ferris	Morgan	Terpeny
Bradley	Fish	Newman	Thilemann
Brodsky	Fiske	Nowlan	Titus
Bullock	Fitzgerald	Parker	Tormey
Carpenter, I. S.	Gibbs	Peck	Tozier
Case	Gillette	Phillips	Travis
Chase	Gorsline	Pitcher	Treanor
Chickering	Gray	Potts	Tuthill, H. H.
Childs	Griggs	Rhodes	Tuttle, R. M.
Clark	Grosse	Roberts	Varnum
Clowes	Gwinup	Root	Warner
Congdon	Hayes	Russell	Waterbury
Cookinham	Howland	Sanders	Wells, D. A.
Crapser	Hurd	Seeley	Wells, J. L.
Cullinan	Kennedy	Shanley	Wren
Curtis	Lefever	Sheridan	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 25, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 293, entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Sheridan
Andrews	Deane	Lindsay	Sherman
Baker, B. F.	Dougherty	McAvoy	Shuit
Baker, C. S.	Douglass	McCabe	Sipp
Beach	Duell	McCarthy	Sisson
Beates	Duguid	McDonald	Skinner
Benedict, E. D.	Evans	Miller	Slingerland
Benedict, T. E.	Ferris	Mitchell	Strait
Bennett	Fish	Mooers	Tallmadge

Bradley	Fiske	Morgan	Terpeny
Bridges	Fitzgerald	Newman	Thilemann
Brotsky	Gibbs	Nowlan	Titus
Carpenter, E. A.	Gillette	Parker	Tormey
Carpenter, I. S.	Gorsline	Peck	Tozier
Case	Gray	Phillips	Travis
Chase	Griggs	Pitcher	Treanor
Chickering	Grosse	Potts	Tuthill, H. H.
Childs	Gwinup	Rhodes	Tuttle, R. M.
Clark	Hayes	Roberts	Varnum
Clowes	Howland	Root	Warner
Congdon	Hurd	Russell	Waterbury
Cookinham	Husted	Sanders	Wells, D. A.
Crapser	Ingersoll	Seeley	Wells, J. L.
Cullinan	Kennedy	Shanley	Wren
Curtis	Lefever		

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Section 1, engrossed bill, line 4, strike out the word "elected;" same section, lines 5 and 6, strike out the words "who shall be the keeper of the county house and reside therein."

Section 2, line 7, strike out "and keeper of the county house."

Amend the title by striking out the words "and the keeper of the county house in said county."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lindsay	Sheridan
Andrews	Douglass	Low	Sherman
Baker, B. F.	Duell	McAvoy	Shuit
Baker, C. S.	Duguid	McCabe	Sipp
Beach	Ellis	McCarthy	Sissor
Beates	Evans	McDonald	Skinner
Benedict, E. D.	Fish	Miller	Slingerland
Benedict, T. E.	Fiske	Mitchell	Strait
Bennett	Fitzgerald	Mooers	Tallmadge
Brotsky	Gibbs	Morgan	Terpeny
Carpenter, E. A.	Gillette	Newman	Titus
Carpenter, I. S.	Gorsline	Nowlan	Tormey
Case	Gray	Parker	Tozier
Chase	Griggs	Peck	Travis
Chickering	Grosse	Phillips	Treanor
Clark	Gwinup	Pitcher	Tuthill, H. H.
Clowes	Hayes	Potts	Tuttle, R. M.
Congdon	Howland	Rhodes	Van Valkenburgh
Cookinham	Hurd	Roberts	Varnum
Crapser	Husted	Root	Warner
Cullinan	Ingersoll	Russell	Waterbury
Curtis	Kennedy	Sanders	Wells, D. A.
Davis	Lefever	Seeley	Wells, J. L.
Deane	Liddle	Shanley	Wren

Those who voted in the negative, were

Bradley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 25, 1880. }

*To the Assembly :*

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 514, entitled "An act to reduce the expenses of the improvement commission in Long Island City," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Liddle	Sisson
Andrews	Davis	Lindsay	Skinner
Baker, B. F.	Deane	McAvoy	Slingerland
Baker, C. S.	Douglass	McCabe	Strait
Beach	Duell	McCarthy	Tallmadge
Beates	Evans	McDonald	Terpeny
Benedict, E. D.	Ferris	Miller	Terry
Benedict, T. E.	Fish	Mitchell	Titus
Bennett	Fitzgerald	Mooers	Tormey
Bradley	Gibbs	Morgan	Tozier
Bridges	Gillette	Nowlan	Travis
Brodsky	Gorsline	Parker	Treanor
Bullock	Gray	Peck	Tuthill, H. H.
Carpenter, E. A.	Grosse	Phillips	Tuttle, R. M.
Carpenter, I. S.	Gwinup	Pitcher	Van Valkenburgh
Case	Howland	Potts	Warner
Chase	Hurd	Roberts	Waterbury
Chickering	Husted	Root	Wells, D. A.
Clark	Ingersoll	Russell	Wells, J. L.
Clowes	Kennedy	Sherman	Youngs
Congdon	Lefever	Sipp	

Those who voted in the negative, were

Crapser

On motion of Mr. Clowes, and by unanimous consent, said bill was amended in words following:

Amend title so as to read:

"An act supplemental to chapter 326 of the Laws of 1874, entitled 'An act to provide for improvements in and adjoining the First ward in Long Island City.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sanders
Andrews	Cookinham	Kennedy	Seeley
Baker, B. F.	Davis	Lefever	Sherman
Baker, C. S.	Deane	Liddle	Sisson
Beach	Dougherty	Lindsay	Skinner
Beates	Douglass	McCabe	Slingerland
Benedict, E. D.	Duell	McCarthy	Strait
Bennett	Ellis	McDonald	Tallmadge
Bradley	Evans	Mead	Terpeny
Brennan	Fish	Miller	Terry
Bridges	Fitzgerald	Mitchell	Titus
Brodsky	Gibbs	Mooers	Tormey
Bullock	Gillette	Morgan	Tozier
Carpenter, E. A.	Gorsline	Nowlan	Travis
Carpenter, I. S.	Gray	Parker	Tuthill, H. H.
Case	Grosse	Peck	Tuttle, R. M.
Chamberlain	Gwinup	Pitcher	Van Valkenburgh
Chase	Hayes	Potts	Waterbury
Chickering	Howland	Roberts	Wells, D. A.
Childs	Hurd	Root	Wells, J. L.
Clark	Husted	Russell	Weston
Clowes			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, May 25, 1880. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 651, entitled "An act supplementary to chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Sherman
Andrews	Curtis	Kennedy	Sisson
Baker, B. F.	Davis	Lefever	Skinner
Baker, C. S.	Deane	Liddle	Slingerland
Beach	Dougherty	Lindsay	Strait
Beates	Douglass	McCabe	Tallmadge
Benedict, E. D.	Duell	McCarthy	Terpeny
Bennett	Duguid	McDonald	Terry
Bradley	Ellis	Mead	Titus
Brennan	Evans	Miller	Tormey
Bridges	Fish	Mitchell	Tozier
Brodsky	Fiske	Mooers	Travis

Bullock	Fitzgerald	Morgan	Treanor
Carpenter, E. A.	Gibbs	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gillette	Parker	Tuttle, R. M.
Case	Gorsline	Peck	Van Valkenburgh
Chase	Gray	Phillips	Warner
Chickering	Gwinup	Pitcher	Waterbury
Clark	Hayes	Potts	Wells, D. A.
Clowes	Howland	Roberts	Wells, J. L.
Cohen	Hurd	Root	Weston
Congdon	Husted	Russell	Wren
Cookinham			

Those who voted in the negative, were  
Crapser

On motion of Mr. Clowes, and by unanimous consent, said bill was amended in words following:

Section 17. The board of highway commissioners may employ a suitable person, not a member of the board, to draw the necessary contracts and specifications and other writings necessary, but the total amount expended for such purposes shall not exceed the sum of \$200 in any one year.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Seeley
Andrews	Cullinan	Kennedy	Sherman
Baker, B. F.	Curtis	Lefever	Shuit
Baker, C. S.	Davis	Liddle	Sipp
Beach	Deane	Lindsay	Sisson
Beates	Douglass	McCabe	Skinner
Bennett	Duell	McCarthy	Slingerland
Bradley	Duguid	McDonald	Strait
Brennan	Ellis	Miller	Tallmadge
Bridges	Evans	Mitchell	Terpeny
Brodsky	Ferris	Mooers	Terry
Bullock	Fish	Newman	Titus
Carpenter, E. A.	Fiske	Nowlan	Tozier
Carpenter, I. S.	Fitzgerald	Parker	Travis
Case	Gibbs	Peck	Tuthill, H. H.
Catlin	Gillette	Phillips	Tuttle, R. M.
Chase	Gorsline	Pitcher	Warner
Chickering	Gray	Potts	Waterbury
Childs	Gwinup	Rhodes	Wells, D. A.
Clark	Hayes	Roberts	Wells, J. L.
Clowes	Howland	Root	Weston
Cohen	Hurd	Russell	Wren
Congdon	Husted	Sanders	

Those who voted in the negative, were  
Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.



By unanimous consent,

Mr. E. D. Benedict offered for the consideration of the House a resolution in the words following:

*Whereas*, 'The boundary line between the counties of Kings and Queens, from where the corporation line of the city of Brooklyn ends at the town of New Lots, Kings county, to the Atlantic ocean, is undefined and unsettled, and is a constant source of dispute; and,

*Whereas*, No commission appointed by the Legislature has ever been able to agree as to a proper line between the said counties of Kings and Queens;

*Resolved* (if the Senate concur), That the representatives now in the Assembly from the twelfth district of Kings, and from the second district of Queens, shall constitute a committee who, together with two reputable civil engineers whom they shall have power to employ, shall investigate and examine into the matter of where said boundary line is intended to be. They shall cause the same to be properly mapped, and shall report the result of their investigation and examination to the next Legislature for proper action to cause the same to be permanently fixed and described. They shall hold sessions during the recess of the Legislature for completing such investigation and examination, and shall have power to employ counsel and a clerk and to send for persons and papers during such time, and shall hold such sessions in the towns of New Lots and Jamaica, as such committee shall deem most convenient and desirable.

Mr. E. D. Benedict moved that the expenses hereby authorized and to be incurred by virtue of said resolution shall be provided for and paid by the counties of Kings and Queens.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, as amended, and it was determined in the affirmative.

By unanimous consent,

Mr. McDonald offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee on cities be discharged from the further consideration of Senate bill Int. No. 351, entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,'" and that the same be substituted for Assembly bill Int. 1206 on the same subject, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens," with a message that they do non-concur in the passage of the same.

The Senate returned Assembly bill entitled "An act in relation to receivers of insolvent corporations," with a message that they have concurred in the passage of the same with the following amendments:

Section 3, line 8, strike out the word "any" and insert the words "the third;" same line, after the word "district" insert the words "or in the judicial district in which such insolvent corporation is located."

Section 4, line 1, strike out the word "the" and insert the word "all," change "notice" to "notices."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Sipp
Andrews	Davis	Lefever	Sisson
Baker, B. F.	Deane	Liddle	Skinner
Baker, C. S.	Dougherty	Lindsay	Slingerland
Beach	Douglass	McDonald	Steele
Beates	Duell	Mead	Tallmadge
Bennett	Duguid	Miller	Terpeny
Bradley	Ellis	Mitchell	Terry
Brennan	Evans	Mooers	Titus
Bridges	Ferris	Morgan	Tormey
Brodsky	Fish	Nowlan	Tozier
Bullock	Fiske	Peck	Travis
Carpenter, E. A.	Fitzgerald	Phillips	Treanor
Carpenter, I. S.	Gibbs	Pitcher	Tuthill, H. H.
Case	Gillette	Potts	Tuttle, R. M.
Catlin	Gorsline	Roberts	Varnum
Chase	Gray	Root	Warner
Chickering	Grosse	Russell	Waterbury
Childs	Gwinup	Sanders	Wells, D. A.
Clark	Hayes	Seeley	Wells, J. L.
Olowes	Howland	Sherman	Weston
Congdon	Hurd	Shuit	Wren
Oullinan	Husted		

Those who voted in the negative, were

Cookinham	Crapser	Havens
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*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to regulate the licensing of physicians and surgeons," with a message that they had passed the same with the following amendments:

Add at the end of section 6 the words: "Nor shall it apply to any person who has practiced medicine and surgery for ten years last past, and who is now pursuing the study of medicine and surgery in any legally incorporated medical college within this State, and who shall graduate from and receive a diploma within two years from the passage of this act."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cullinan	Husted	Shuit
Andrews	Curtis	Ingersoll	Sipp
Baker, B. F.	Davis	Kennedy	Sisson

Baker, C. S.	Deane	Lefever	Skinner
Beach	Dougherty	Liddle	Slingerland
Beates	Douglass	Lindsay	Steele
Benedict, E. D.	Duell	McAvoy	Strait
Bennett	Duguid	McDonald	Tallmadge
Bradley	Ellis	Mead	Terpeny
Brennan	Evans	Miller	Terry
Bridges	Ferris	Mitchell	Titus
Brodsky	Fish	Mooers	Tozier
Bullock	Fiske	Morgan	Travis
Carpenter, E. A.	Fitzgerald	Nowlan	Treanor
Carpenter, I. S.	Gibbs	Peck	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Catlin	Gorsline	Pitcher	Van Valkenburgh
Chase	Gray	Potts	Varnum
Chickering	Griggs	Roberts	Warner
Childs	Grosse	Root	Waterbury
Clark	Gwinup	Russell	Wells, D. A.
Clowes	Havens	Sanders	Wells, J. L.
Cohen	Hayes	Seeley	Weston
Congdon	Howland	Sherman	Wren
Cookinham			

Those who voted in the negative, were  
Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act protecting fish in certain waters of this State," with a message that they have concurred in the passage of the same.

Section 1, line 3, after "Oneida" insert "Cayuga."

Section 2, line 14, after "Erie" insert "Tompkins, Seneca."

Mr. Tuttle moved to non-concur in the amendments of the Senate to the above entitled bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of non-concurrence in their amendments.

Senate bill entitled "An act making an appropriation for repairs to the State arsenal at Albany and the military property stored therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Shanley
Andrews	Curtis	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sipp
Beach	Dougherty	Lindsay	Sisson
Beates	Douglass	Low	Slingerland
Benedict, E. D.	Duell	McAvoy	Steele
Bennett	Duguid	McCarthy	Strait

Bradley	Ellis	Mead	Tallmadge
Brennan	Evans	Miller	Terpeny
Bridges	Ferris	Mitchell	Terry
Brotsky	Fish	Mooers	Thilemann
Bullock	Fiske	Morgan	Titus
Carpenter, E. A.	Fitzgerald	Newman	Travis
Carpenter, I. S.	Gibbs	Nowlan	Treanor
Case	Gillette	Peck	Tuthill, H. H.
Catlin	Gorsline	Phillips	Tuttle, R. M.
Chase	Gray	Pitcher	Van Valkenburgh
Chickering	Griggs	Potts	Varnum
Childs	Grosse	Roberts	Warner
Clark	Gwinup	Root	Waterbury
Clowes	Hayes	Russell	Wells, J. L.
Congdon	Howland	Sanders	Weston
Cookinham	Husted	Seeley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Travis moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," was recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was recommitted to the committee on affairs of cities, and it was determined in the affirmative.

After debate,

Mr. Grosse moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 45 }  
{ NOES 44 }

Those who voted in the affirmative, were

Alvord	Clowes	Lefever	Russell
Andrews	Cullinan	McCarthy	Seeley
Baker, B. F.	Davis	McTernan	Shanley
Baker, C. S.	Dougherty	Mead	Sheridan
Beates	Ferris	Newman	Shuit
Brotsky	Gorsline	O'Brien	Steele
Bullock	Gray	O'Connor	Tallmadge
Carpenter, E. A.	Grosse	Pitcher	Tormey
Carpenter, I. S.	Hagan	Potts	Travis
Catlin	Hayes	Roberts	Wells, D. A.
Chase	Hurd	Root	Youngs
Clark			

Those who voted in the negative, were

Beach	Cookinham	Kennedy	Rhodes
Benedict, T. E.	Grapser	Liddle	Sipp
Bennett	Curtis	Lindsay	Skinner
Bradley	Cushing	Low	Slingerland
Brennan	Douglass	McAvoy	Strait
Bridges	Ellis	McDonald	Tozier
Chamberlain	Fish	Miller	Treanor
Chickering	Fitzgerald	Mitchell	Varnum
Childs	Griggs	Morgan	Waterbury
Cohen	Gwinup	Nowlan	Wells, J. L.
Congdon	Havens	Parker	Weston

The Senate returned Senate bill entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," with a message that they have concurred in the passage of the same.

*Ordered*, That the Clerk return said bill to the Senate.

The bill entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' " being announced for a third reading,

On motion of Mr. Cookinham, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause and insert the following:

Section 1. Sections 4, 12, 16, 24, 25, 26, 34, 109, 113, 133 and 134, of chapter 18 of the Laws of 1862, entitled "An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' " are hereby amended so as to read, respectively, as follows:

§ 4. The officers of the city shall be denominated city officers and ward officers. The city officers shall be a mayor, a recorder, a treasurer and four justices of the peace, who shall be elected by ballot by the electors of the city; a clerk and a corporation counsel, who shall be appointed by the common council; and such other officers as the common council may appoint under the provisions of this act, and a city surveyor, who shall be appointed annually by the mayor within ten days after he shall enter upon the duties of his office. The ward officers shall be, in each ward, a supervisor, one alderman, one assessor, one collector, one constable, and so many inspectors of election as shall be required by the law relative to elections. The ward officers shall be elected by ballot by the electors of the respective wards.

§ 12. The treasurer, corporation counsel, clerk, city surveyor, policemen and collectors shall severally, before they enter upon the duties of their offices, file with the clerk a bond to the city of Utica in such penalty and with such sureties as the common council shall direct, the sureties to be approved by the common council, conditioned that they shall faithfully perform the duties of their respective offices, and account for and pay over all moneys to be received by them by virtue thereof. The common council may, at any time, by ordinance or resolution, require any other officers or servants of the corporation to file such bond.

§ 16. Resignations of any office held under the provisions of this act may be made to the common council, excepting in the cases where

the power of appointment is conferred on the mayor. The common council may fill all vacancies in any offices provided for by this act for the remainder of the current civil year, excepting in the case of aldermen, and of officers authorized to be appointed by the mayor.

§ 24. The clerk shall keep the corporate seal and all papers belonging to the city, and shall attend the meetings of the common council and make a record of its proceedings, and perform such other duties as are required of him by this act, and such as he will be charged with by the common council. He shall keep an accurate account of all warrants issued in a book to be provided for that purpose. Copies of all papers filed in his office and transcripts from the record of the proceedings of the common council, duly certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced and proven. The city clerk shall perform the duties of clerk to the board of health and to the board of town auditors, and shall receive in full compensation for all services required of him by law an annual salary of \$1,500, payable quarterly.

§ 25. The city surveyor shall possess all the powers and perform all the duties which, by the acts hereby amended, were exercised and performed by the street commissioner, and which are now or may be hereafter prescribed by ordinances or directions of the common council. He shall prepare plans, specifications and estimates, when thereto directed by the common council, of proposed public improvements, and shall superintend the opening of streets and the preservation of the true lines thereof. It shall be his duty to prepare maps, so far as may be practicable, of all public sewers and drains, and of all real estate belonging to the city; and he shall also make, or cause to be made, accurate maps and records of all work done by him in his official character, which maps and records shall belong to the city, and shall be kept in his office, and be open to the examination of all citizens of Utica. The city surveyor may be removed by the mayor upon proof of official or other misconduct, after having been furnished with a copy of the charges preferred, and given an opportunity for defense. In the occurrence of a vacancy, from any cause, in his office, the mayor shall appoint a city surveyor for the unexpired term. The city surveyor shall receive for his services an annual salary of \$2,000, payable quarterly, which shall be in full compensation for all services and duties required of and rendered by him; and the further sum of \$500 shall be paid in quarterly installments of \$125 each, to a competent assistant, to be selected by the city surveyor. The term of office of such assistant shall expire with the term of his principal, unless he shall be sooner removed by him.

§ 16. The city surveyor shall superintend the making of public improvements ordered by the common council, and make contracts for work and labor which may be necessary, and discharge such other duties as the common council may require. He shall keep accurate accounts of all expenditures incurred by him in the performance of his duties, accompanied with statements of the expenditure, and shall render the same to the common council when thereto requested. No contract or agreement made by him on the part of the city shall be binding, until the same is ratified by the common council, but when so ratified it shall have the same effect as if executed under the corporate seal.

§ 34. The common council shall appoint the clerk, a corporation



counsel, and so many fence viewers, clerks of markets, sextons to have charge of the burial grounds belonging to the city, and messengers to attend upon its meetings as it may deem necessary. Such officers shall hold their office during the pleasure of the common council, except that the clerk shall hold his office during three years from the time of his appointment.

§ 109. Upon the assessment being made as provided in this title, an assessment list shall be made, to resemble, as nearly as practicable, the tax list in its form, and be provided with a column in which payments can be entered by the treasurer. Two copies thereof shall be made by the clerk and signed by the mayor and clerk, one of which shall be filed with the clerk and the other delivered to the treasurer. Notice in writing of the assessment and the amount thereof shall be given by the city clerk to the owners or representatives, respectively, of the property assessed, within five days after the assessment shall be thus filed. Such notice shall be given by mailing the same to each owner or representative, or by leaving a copy at his usual place of residence. All the provisions of this act, relative to the tax lists mentioned in section 48 of this act, to the assessments therein, and to the collection and payment of the moneys thereon, shall be applicable to the assessment lists provided in this title.

§ 113. In all cases where a sidewalk is directed to be constructed, not less than 60 days' time in case of a stone sidewalk, and 30 days in all other cases, shall be given to the owners of real estate fronting thereon, to construct the same under the direction of the city surveyor.

§ 133. The common council may, from time to time, require the city surveyor to prepare and furnish to any of the assessors, brief but certain descriptions of any real estate, to enable him to prepare the assessment roll of his ward, or require the city surveyor to prepare a roll for such assessor, containing the description of the real estate in the ward, with blanks for valuation and for the names of persons owning personal estate, and such other blanks as are required in assessment rolls, and the descriptions or rolls thus prepared shall be followed by the assessors in making their rolls. The services of the city surveyor, under this section, shall be audited and paid in the same manner as the assessors are paid, and he shall be allowed a reasonable compensation for his services.

§ 134. At and during the time prescribed by law for the hearing and examining of complaints in relation to assessments, the mayor and the committee of the common council on assessments shall have authority to meet with said assessor, for the purpose of hearing and examining said complaints, and in the disposition thereof shall severally have the same voice and authority possessed by said several assessors. A written notice stating the time and place of such meeting or meetings shall be personally served by the chairman of said board of assessors, upon the mayor and each of the members of said committee on assessments, at least 24 hours before the time of holding said meeting or meetings. The assessment rolls, prepared by said assessors, shall be made as now prescribed by law, except that they shall contain fifth and sixth columns. The city clerk shall insert in the fifth column the city tax, and in the sixth column the county tax; he shall make one copy of each of said assessment rolls containing the city tax, and deliver the same to the city treasurer as now required by law, also one copy of each thereof for delivery to one of the supervisors of the city,



as now required by law. When the board of supervisors of Oneida county shall have determined the rates of county taxes for the city of Utica, it shall be the duty of the city clerk to enter the county tax in said assessment rolls, and the copies thereof made as heretofore stated. After the assessors of the city shall have completed their assessment in the manner provided by law, and made a separate roll for each ward of the city, they shall file the same with the clerk of the city, who shall correct any clerical errors therein, and make exact copies of each of them, which copies he shall certify to be correct, and deliver the same to one of the supervisors of the city, on or before the first day of November, to be by him presented to the board of supervisors as the assessment rolls for the several wards of the city.

§ 2. Section 23 of the act entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, passed May 20, 1876,'" is hereby amended so as to read as follows :

§ 23. It shall in all cases be the duty of the owner of any lot or piece of land in said city to keep the sidewalks adjoining his lot or piece of land in good repair, and also the duty of every owner or occupant to remove and clean away snow and ice, or other obstructions, from such sidewalks and to keep half the street or alley adjoining the same free from obstruction or obstacle. The city of Utica shall not be liable for any injury caused from such sidewalks being out of repair, or unlawfully obstructed, or dangerous from snow or ice, unless actual notice of the unsafe or dangerous condition thereof has prior to such injury been given to the city surveyor or common council.

Nor shall any citizen or property owner in said city be liable for any injury caused from such sidewalk being out of repair, or unlawfully obstructed, or dangerous from snow or ice, unless actual notice of the unsafe or dangerous condition thereof has been had by or has been given to the person sued prior to such injury. Nor shall any action be maintainable for damages claimed to have been caused by reason of the defective, unsafe and dangerous condition of such walks, unless notice in writing of the claim and of the time, place and defect complained of, and cause of the injury shall have been served upon the person or persons sued within ten days after the accident or casualty causing the damage occurred.

The city surveyor shall have the power to repair any sidewalk when the owner of the property shall neglect to repair the same for five days after written notice so to do has been served on him personally or at his residence, if his residence be known, and he live in the city ; or otherwise by being left on the premises. The city surveyor shall also have power to clean any sidewalk from snow, ice or other obstructions where the same shall have remained for 24 hours. The city surveyor shall have the power to collect the expenses of any such work or repair from the owner of the property ; and he shall send such owner, if his address be known, a bill of the amount thereof. The expense of such cleaning may be collected from either the owner or occupant of the property in like manner. If such expense is not paid the city surveyor shall file his affidavit showing in detail the actual cost thereof, and the property in front of which the work, repairing or cleaning was done, with the city clerk ; and he shall add the amount thereof with interest at fifteen per cent from the time such affidavit was filed, to the amount assessed against such land for the next general city tax,

and the whole amount of such assessment shall be collected as is provided in reference to general city taxes. All claims against the city for damages for injuries to the person, claimed to have been caused or sustained by defects, want of repair, or obstructions from snow, ice or other causes in the streets, sidewalks or crosswalks of the city; or because of negligence of the city as to the streets, crosswalks or sidewalks of the city, shall be presented to the common council, in writing, within three months after said injury is received. Such writing shall describe the time, place, cause and extent of the injury so far as then practicable. The omission to present said claim as aforesaid within three months shall be a bar to any claim or action therefor against the city.

§ 3. No city officer of the city of Utica shall be entitled to receive any fee, reward, interest or commission from any person or source, nor any compensation except his official salary, on account of the discharge of any official duty. This section shall not apply to the compensation now allowed by law to assessors specially appointed in the case of local improvements, nor to the fees provided by law for the services of justices of the peace.

§ 4. The provisions of this act referring to the city clerk, and forbidding the taking of fees by city officials shall not take effect so far as the city clerk is concerned until after the expiration of the current term of office of the present city clerk; nor shall the provisions in regard to the city surveyor and street commissioner, and forbidding the taking of fees by officials take effect so far as such officials are concerned until the expiration of the current terms of office of the present city surveyor and street commissioner.

§ 5. All provisions of law conflicting with this act, in so far as they so conflict, are hereby repealed.

§ 6. Except as provided in section 4, this act shall take effect immediately.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Shuit
Andrews	Crapser	Lefever	Sipp
Baker, B. F.	Cullinan	Liddle	Sisson
Baker, C. S.	Curtis	Low	Skinner
Beach	Davis	McAvoy	Slingerland
Beates	Douglass	Miller	Strait
Benedict, E. D.	Duell	Mitchell	Tallmadge
Bennett	Ellis	Mooers	Titus
Bradley	Evans	Morgan	Tormey
Brennan	Ferris	Nowlan	Tozier
Bridges	Fish	Parker	Travis
Brodsky	Gorsline	Peck	Tuthill, H. H.
Bullock	Gray	Phillips	Tuttle, R. M.
Carpenter, E. A.	Griggs	Potts	Van Valkenburgh
Carpenter, I. S.	Grosse	Rhodes	Varnum
Case	Gwinup	Roberts	Warner

Chase	Havens	Root	Waterbury
Chickering	Hayes	Russell	Wells, D. A.
Childs	Howland	Sanders	Wells, J. L.
Clark	Hurd	Seeley	Weston
Clowes	Husted	Shanley	Wren
Congdon	Ingersoll	Sherman	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to provide for the appointment of a board of elections and of registers, canvassers, inspectors and poll clerks in the city of Brooklyn, and to fix their compensation," being announced for a third reading,

On motion of Mr. Russell, and by unanimous consent, said bill was amended in words following:

Line 1, section 1, strike out the words "on the first day of May, 1880," and insert in lieu thereof: "Immediately after the passage of this act."

At end of line 41, section 4, after the word "inspectors," insert the following: "Of like political faith."

In line 7, section 5, after the word "on" insert the words "or before."

Line 8, section 5, strike out after the word "September," the words "second Tuesday of October."

Line 9, section 5, strike out the word "said," and insert the words "their respective;" in same line, make the word "district" read "districts."

Section 5, strike out all of line 10.

In line 11, section 5, strike out the word "district" and the words "for their purposes they shall."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 12 }

Those who voted in the affirmative, were

Alvord	Cookinham	Kennedy	Seeley
Andrews	Crapser	Lefever	Sheridan
Baker, B. F.	Curtis	Liddle	Sherman
Baker, C. S.	Davis	Low	Shuit
Beach	Douglass	McAvoy	Sipp
Beates	Duell	Mead	Sisson
Benedict, E. D.	Ferris	Miller	Skinner
Bradley	Fish	Mitchell	Slingerland
Brennan	Fiske	Mooers	Steele
Bridges	Fitzgerald	Morgan	Tallmadge
Brodsky	Gillette	Nowlan	Travis
Bullock	Gorsline	O'Brien	Van Valkenburgh
Carpenter, E. A.	Gray	Peck	Varnum
Carpenter, I. S.	Griggs	Phillips	Waterbury
Case	Grosse	Potts	Wells, D. A.
Chamberlain	Gwinup	Roberts	Wells, J. L.
Chase	Howland	Root	Weston
Chickering	Hurd	Russell	Wren

Childs	Husted	Sanders	Youngs
Congdon	Ingersoll		

Those who voted in the negative, were

Benedict, T. E.	Ellis	Newman	Tormey
Olancy	Gibbs	Parker	Treanor
Dougherty	Havens	Shanley	Wiley

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

The Senate sent for concurrence the Concurrent Resolution "Proposing an amendment to article 6 of the Constitution," which was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said Concurrent Resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Shanley
Andrews	Cushing	McAvoy	Sheridan
Baker, B. F.	Davis	McCabe	Sherman
Baker, C. S.	Douglass	McCarthy	Shuit
Beach	Duell	McDonald	Sipp
Beates	Dugaid	Mead	Sisson
Benedict, E. D.	Ferris	Miller	Slingerland
Bennett	Fish	Mitchell	Tallmadge
Bradley	Fiske	Mooers	Tormey
Brodsky	Fitzgerald	Morgan	Tozier
Bullock	Gibbs	Nowlan	Travis
Carpenter, I. S.	Gorsline	Phillips	Treanor
Catlin	Gray	Potts	Van Valkenburgh
Chamberlain	Grosse	Rhodes	Waterbury
Chickering	Hagan	Roberts	Wells, D. A.
Childs	Hurd	Root	Wells, J. L.
Clark	Husted	Russell	Weston
Cohen	Kennedy	Sanders	Wren
Cookinham	Lefever	Seeley	Mr. Speaker
Cullinan	Liddle		

Those who voted in the negative, were

Benedict, T. E.	Chase	Griggs	Parker
Bridges	Crapser	Gwinup	Skinner
Case	Ellis	Havens	

*Ordered*, That the Clerk return said Concurrent Resolution to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act in relation to elections in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

Mr. Hurd in the chair.

Senate bill entitled "An act to facilitate the distribution and division of the estate of George Bright, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Deane	McAvoy	Sherman
Andrews	Douglass	McCabe	Shuit
Baker, B. F.	Duell	McCarthy	Sipp
Beates	Duguid	McDonald	Sisson
Benedict, E. D.	Ferris	McTernan	Skinner
Bradley	Fish	Miller	Slingerland
Brodsky	Fitzgerald	Mitchell	Steele
Bullock	Gibbs	Mooers	Tallmadge
Carpenter, E. A.	Gillette	Morgan	Tormey
Carpenter, I. S.	Gorsline	Newman	Tozier
Case	Griggs	Nowlan	Travis
Chamberlain	Grosse	Parker	Treanor
Chase	Gwinup	Potts	Van Valkenburgh
Congdon	Hayes	Roberts	Varnum
Cookinham	Hurd	Root	Waterbury
Crapser	Husted	Russell	Wells, D. A.
Cullinan	Ingersoll	Sanders	Weston
Curtis	Kennedy	Seeley	Wiley
Cushing	Lefever	Sheridan	Wren
Davis	Liddle		

Those who voted in the negative, were

Benedict, T. E.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Assembly bill entitled "An act to amend chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 4 }

Those who voted in the affirmative, were

Baker, B. F.	Curtis	Kennedy	Sheridan
Baker, C. S.	Cushing	Lefever	Sherman
Beach	Davis	Liddle	Shuit
Beates	Deane	Lindsay	Sisson
Benedict, E. D.	Douglass	McAvoy	Skinner
Benedict, T. E.	Duell	McCabe	Slingerland
Bennett	Duguid	McCarthy	Steele
Bradley	Ellis	McDonald	Tallmadge
Bridges	Ferris	Miller	Thilemann

**MAY 25.]**

**1773**

<b>Brodsky</b>	<b>Fish</b>	<b>Mooers</b>	<b>Tormey</b>
<b>Bullock</b>	<b>Fitzgerald</b>	<b>Morgan</b>	<b>Tozier</b>
<b>Catlin</b>	<b>Gibbs</b>	<b>Parker</b>	<b>Travis</b>
<b>Chamberlain</b>	<b>Gillette</b>	<b>Peck</b>	<b>Treanor</b>
<b>Chase</b>	<b>Gorsline</b>	<b>Phillips</b>	<b>Waterbury</b>
<b>Clanoy</b>	<b>Gray</b>	<b>Roberts</b>	<b>Wells, D. A.</b>
<b>Clark</b>	<b>Griggs</b>	<b>Root</b>	<b>Wells, J. L.</b>
<b>Congdon</b>	<b>Gwinup</b>	<b>Russell</b>	<b>Weston</b>
<b>Cookinham</b>	<b>Hurd</b>	<b>Sanders</b>	<b>Wiley</b>
<b>Cullinan</b>	<b>Husted</b>	<b>Seeley</b>	<b>Wren</b>

Those who voted in the negative, were

<b>Carpenter, E. A.</b>	<b>Crapser</b>	<b>Grosse</b>	<b>Havens</b>
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

“An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies.”

“An act to repeal chapter 416 of the Laws of 1876, entitled ‘An act to amend chapter 440 of the Laws of 1873, entitled ‘An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, and for other purposes.’”

“An act in relation to the temporary relief of the poor in the town of Goshen, Orange county.”

“An act to amend chapter 766 of the Laws of 1870, entitled ‘An act to improve and keep in repair the highway from Wilmington to North Elba, in the county of Essex.’”

“An act in relation to printing and publishing the Code of Criminal Procedure.”

“An act to amend section 3 of chapter 582 of the Laws of 1864, entitled ‘An act to amend an act entitled ‘An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850.’”

“An act to amend chapter 193 of the Laws of 1849, entitled ‘An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849.’”

The bill entitled “An act for the relief of Phillip Hathaway,” was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ **AYES 78** }  
{ **NOES 1** }

Those who voted in the affirmative, were

<b>Andrews</b>	<b>Curtis</b>	<b>Hurd</b>	<b>Russell</b>
<b>Baker, B. F.</b>	<b>Davis</b>	<b>Husted</b>	<b>Sanders</b>
<b>Baker, C. S.</b>	<b>Deane</b>	<b>Ingersoll</b>	<b>Seeley</b>
<b>Beach</b>	<b>Dougherty</b>	<b>Kennedy</b>	<b>Sherman</b>
<b>Beates</b>	<b>Douglass</b>	<b>Lefever</b>	<b>Shuit</b>
<b>Bradley</b>	<b>Duell</b>	<b>Liddle</b>	<b>Sipp</b>
<b>Brennan</b>	<b>Duguid</b>	<b>McAvoy</b>	<b>Sisson</b>
<b>Bridges</b>	<b>Ellis</b>	<b>McCabe</b>	<b>Skinner</b>
<b>Brodsky</b>	<b>Fish</b>	<b>McCarthy</b>	<b>Slingerland</b>
<b>Bullock</b>	<b>Fiske</b>	<b>Miller</b>	<b>Tallmadge</b>

Carpenter, E. A.	Gibbs	Mitchell	Tormey
Carpenter, I. S.	Gillette	Mooers	Tozier
Case	Gorsline	Morgan	Travis
Chase	Gray	Newman	Warner
Clark	Griggs	Nowlan	Waterbury
Clowes	Grosse	Parker	Wells, D. A.
Cohen	Gwinup	Potts	Wells, J. L.
Congdon	Havens	Roberts	Weston
Cookinham	Hayes	Root	Wren
Cullinan	Howland		

Those who voted in the negative, were  
Crapser

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the village of Pierrepont, in the county of Rockland, to macadamize the highway in said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennedy	Seeley
Andrews	Deane	Lefever	Shanley
Baker, B. F.	Dougherty	Liddle	Sheridan
Baker, C. S.	Douglass	McAvoy	Sherman
Beach	Duell	McDonald	Shuit
Beates	Duguid	Mead	Sipp
Bennett	Ellis	Miller	Sisson
Bradley	Evans	Mitchell	Skinner
Brennan	Ferris	Mooers	Slingerland
Bridges	Fish	Morgan	Strait
Brodsky	Fitzgerald	Newman	Tallmadge
Bullock	Gibbs	Nowlan	Tozier
Carpenter, E. A.	Gillette	Parker	Travis
Carpenter, I. S.	Gorsline	Peck	Tuthill, H. H.
Chase	Gray	Phillips	Tuttle, R. M.
Chickering	Griggs	Pitcher	Varnum
Clark	Gwinup	Potts	Warner
Clowes	Havens	Rhodes	Waterbury
Congdon	Hayes	Roberts	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Crapser	Hurd	Russell	Weston
Cullinan	Husted	Sanders	Wren
Curtis	Ingersoll		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to amend said bill in words following:

Section 1, line 2, after the word "authorized" strike out the words "and directed."



Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Crapser	Hurd	Shanley
Baker, B. F.	Cullinan	Husted	Sheridan
Baker, C. S.	Curtis	Ingersoll	Sherman
Beach	Davis	Kennedy	Shuit
Beates	Deane	Lefever	Sipp
Benedict, E. D.	Dougherty	Liddle	Sisson
Bennett	Douglass	Lindsay	Skinner
Bradley	Duell	Low	Slingerland
Brennan	Duguid	McAvoy	Tallmadge
Bridges	Ferris	McCarthy	Titus
Brodsky	Fish	McTernan	Tozier
Bullock	Fiske	Mead	Travis
Carpenter, E. A.	Fitzgerald	Miller	Treanor
Carpenter, I. S.	Gibbs	O'Connor	Van Valkenburgh
Case	Gillette	Pitcher	Varnum
Catlin	Gorsline	Potts	Waterbury
Chase	Gray	Roberts	Wells, D. A.
Chickering	Griggs	Root	Wells, J. L.
Clark	Grosse	Russell	Weston
Clowes	Hayes	Sanders	Wiley
Cookinham	Howland	Seeley	Wren

Those who voted in the negative, were

Benedict, T. E.	Havens	McDonald	Mitchell
Ellis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Seeley
Andrews	Cushing	Lindsay	Sheridan
Baker, B. F.	Davis	McAvoy	Sherman
Baker, C. S.	Deane	McCabe	Shuit
Beach	Douglass	McCarthy	Sipp
Beates	Duell	McDonald	Sisson
Benedict, E. D.	Ellis	McTernan	Skinner
Benedict, T. E.	Ferris	Mead	Steele

Bradley	Fish	Miller	Tallmadge
Bridges	Fiske	Mooers	Terpeny
Brodsky	Gillette	Morgan	Terry
Carpenter, E. A.	Gorsline	Nowlan	Titus
Case	Gray	Peck	Tozier
Oatlin	Grosse	Phillips	Travis
Chamberlain	Hayes	Pitcher	Varnum
Chase	Howland	Potter	Waterbury
Chickering	Hurd	Roberts	Wells, D. A.
Clark	Husted	Root	Wells, J. L.
Clowes	Ingersoll	Russell	Weston
Crapser	Kennedy	Sanders	Wren
Cullinan	Lefever		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for submitting a proposed amendment to the Constitution to the electors of the State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 54 of the Laws of 1877, entitled 'An act in regard to the powers of the associate rector of the St. Luke's Memorial Church, in the city of Utica, county of Oneida, and State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to printing and publishing the Code of Criminal Procedure," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Senate bill entitled "An act to enlarge the powers of the Waterville Opera House Company (limited)," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Russell
Baker, B. F.	Cookinham	Ingersoll	Sanders
Baker, C. S.	Crapser	Kennedy	Seeley
Beach	Cullinan	Lefever	Sherman
Beates	Deane	Liddle	Shuit
Benedict, E. D.	Dougherty	Low	Sipp
Bennett	Douglass	McAvoy	Sisson
Bradley	Duell	McCabe	Skinner
Brennan	Duguid	McCarthy	Slingerland
Bridges	Evans	McDonald	Steele
Brodsky	Ferris	Mead	Tallmadge
Bullock	Fish	Miller	Titus

Carpenter, E. A.	Gillette	Mitchell	Tozier
Carpenter, I. S.	Gorsline	Mooers	Tuttle, R. M.
Case	Gray	Morgan	Van Valkenburgh
Oatlin	Griggs	Nowlan	Varnum
Chase	Gwinup	Peck	Waterbury
Chickering	Havens	Pitcher	Wells, D. A.
Clark	Hayes	Potts	Wells, J. L.
Clowes	Howland	Roberts	Weston
Cohen	Hurd	Root	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 591, entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 435 of the Code of Civil Procedure," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 5, strike out the word "of" and insert "for."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }  
{ NOES 11 }

Those who voted in the affirmative, were

Beach	Douglass	Miller	Sisson
Beates	Duell	Mitchell	Skinner
Benedict, E. D.	Duguid	Morgan	Slingerland
Bridges	Ferris	Nowlan	Steele
Brodsky	Gorsline	Phillips	Tallmadge
Carpenter, E. A.	Grosse	Pitcher	Thilemann
Case	Hurd	Potts	Tozier
Chamberlain	Husted	Roberts	Travis
Ohilds	Kennedy	Root	Tuttle, R. M.
Clark	Lefever	Russell	Van Valkenburgh
Clowes	Liddle	Sanders	Varnum
Cohen	Low	Seeley	Waterbury
Congdon	McAvoy	Sheridan	Wells, D. A.
Cullinan	McCabe	Sherman	Wells, J. L.
Curtis	McCarthy	Shuit	Wren
Deane	McDonald	Sipp	Youngs
Dougherty	Mead		

Those who voted in the negative, were

Alvord	Crapser	Havens	Rhodes'
Benedict, T. E.	Cushing	O'Connor	Treanor
Bradley	Gwinup	Parker	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, informing of concurrence in the passage of the following bills:

"An act to amend section 16 of article 3, chapter 6, part 1 of the Revised Statutes."

"An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins.'"

"An act establishing the compensation of the county judge and surrogate of the county of Rockland."

"An act to legalize and confirm the action of the election of the town of Wilmington in the county of Essex."

"An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture."

"An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company.'"

"An act permitting the common council of the city of Buffalo, in its discretion, to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878."

"An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation."

"An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York."

"An act to incorporate the Bachelor Club of the city of New York."

"An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847, and the acts amendatory thereof.'"

"An act to provide for the protection of mechanics and others."

"An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, passed May 2, 1864, three-fifths being present.'"

"An act to provide for the improvement of Steinway avenue, in Long Island City."

"An act conferring additional powers upon the board of supervisors of the county of Franklin."

"An act to incorporate the Holstein Breeders Association of America."

"An act to prevent the sale of any adulterated article as cider vinegar."

"An act to regulate the taking of clams and oysters in the waters of the State of New York on the north side of Staten Island."

"An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

"An act to legalize the acts of Franklin C. Whitney as a notary public."

"An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida."

"An act in relation to uncollected taxes in the several towns and wards in this State."

"An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes.'"

"An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes, passed May 8, 1873."

"An act to amend chapter 162 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents, as amended by chapter 526 of the Laws of 1879."

"An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo."

"An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869."

"An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association."

"An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet."

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning."

"An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

"An act supplementary to chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof.'"

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies.'"

"An act for the relief of the Union Plank Road Company."

"An act to provide for the protection and preservation of fish in the county of Monroe, State of New York."

"An act in relation to companies insuring steam boilers."

"An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And, at seven o'clock and twenty-five minutes, the House adjourned.

## WEDNESDAY MORNING, MAY 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), 'That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 386, entitled "An act to reduce and fix the rate of interest on mortgages held by the Commissioners of the United States Deposit Fund, in the several counties of the State," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lindsay	Sheridan
Andrews	Deane	Low	Shuit
Beach	Douglass	McCabe	Sisson
Beates	Duell	Miller	Skinner
Benedict, T. E.	Duguid	Mitchell	Slingerland
Bradley	Ellis	Mooers	Steele
Brennan	Evans	Morgan	Tallmadge
Bridges	Ferris	Newman	Terpeny
Brodsky	Fish	Nowlan	Titus
Bullock	Fiske	O'Connor	Tormey
Carpenter, E. A.	Fitzgerald	Peck	Travis
Carpenter, I. S.	Gray	Phillips	Treanor
Case	Griggs	Pitcher	Tuthill, H. H.
Chamberlain	Havens	Potts	Tuttle, R. M.
Chickering	Hayes	Roberts	Waterbury
Childs	Hurd	Root	Wells, D. A.
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Kennedy	Sanders	Weston
Crapser	Lefever	Seeley	Wren
Cullinan	Liddle	Shanley	Youngs
Curtis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages, so far as the same relates to the village of Corning, in the county of Steuben,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Sherman
Andrews	Deane	McAvoy	Shuit
Beach	Douglass	McCabe	Sisson
Beates	Duell	McTernan	Skinner
Bradley	Duguid	Miller	Slingerland
Brennan	Ellis	Mitchell	Steele
Bridges	Evans	Mooers	Tallmadge
Brodsky	Ferris	Morgan	Terpeny
Bullock	Fish	Newman	Terry
Carpenter, I. S.	Fiske	Nowlan	Titus
Case	Fitzgerald	Peck	Tormey
Chamberlain	Gorsline	Phillips	Tozier
Chickering	Gray	Pitcher	Travis
Childs	Griggs	Potts	Treanor
Cohen	Gwinup	Roberts	Tuthill, H. H.
Congdon	Hayes	Root	Tuttle, R. M.
Chamberlain	Husted	Russell	Waterbury
Costello	Kennedy	Sanders	Wells, D. A.
Oullinan	Lefever	Seeley	Wells, J. L.
Curtis	Liddle	Shanley	Wren
Oushing	Lindsay	Sheridan	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Equity Gas Light Company of the Eastern District of the city of Brooklyn to change its name," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Shuit
Andrews	Davis	Liddle	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Douglass	McAvoy	Slingerland
Beates	Duell	McCabe	Steele
Bradley	Duguid	Miller	Terry
Bridges	Ellis	Mitchell	Thilemann
Brodsky	Evans	Mooers	Titus
Bullock	Ferris	Morgan	Tormey
Carpenter, E. A.	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	Parker	Travis
Case	Fitzgerald	Peck	Treanor
Chamberlain	Gray	Phillips	Tuthill, H. H.
Chase	Griggs	Pitcher	Tuttle, R. M.
Chickering	Havens	Potts	Waterbury
Childs	Hayes	Roberts	Wells, D. A.



Cohen  
Congdon  
Crapser  
Cullinan  
Curtis

Howland  
Hurd  
Husted  
Kennedy

Root  
Sanders  
Seeley  
Sherman

Wells, J. L.  
Weston  
Wren  
Youngs

Those who voted in the negative, were  
Lindsay                      Russell                      Tallmadge

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies, and of the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, C. S.  
Beach  
Beates  
Bradley  
Brennan  
Bridges  
Brotsky  
Bullock  
Carpenter, I. S.  
Case  
Chamberlain  
Chase  
Chickering  
Childs  
Congdon  
Cookinham  
Costello  
Crapser  
Cullinan  
Curtis  
Cushing

Davis  
Deane  
Dougherty  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris  
Fish  
Fiske  
Fitzgerald  
Gray  
Griggs  
Gwinup  
Havens  
Hayes  
Howland  
Hurd  
Husted  
Kennedy  
Lefever

Liddle  
Lindsay  
Low  
McCabe  
Miller  
Mitchell  
Mooers  
Morgan  
Newman  
Nowlan  
Parker  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Roberts  
Root  
Russell  
Sanders  
Seeley  
Sherman

Shuit  
Sipp  
Sisson  
Skinner  
Steele  
Strait  
Tallmadge  
Terpeny  
Terry  
Titus  
Tozier  
Travis  
Treanor  
Tully  
Tuthill, H. H.  
Tuttle, R. M.  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren  
Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Seeley
Andrews	Cushing	Lefever	Sheridan
Baker, C. S.	Davis	Liddle	Shuit
Beach	Deane	Lindsay	Sipp
Beates	Dougherty	Low	Sisson
Benedict, E. D.	Douglass	McCabe	Skinner
Bradley	Duell	Miller	Steele
Brennan	Duguid	Mitchell	Tallmadge
Bridges	Ellis	Mooers	Terpeny
Brodsky	Ferris	Morgan	Terry
Bullock	Fiske	Newman	Thilemann
Carpenter, I. S.	Fitzgerald	Nowlan	Titus
Case	Gray	O'Connor	Tozier
Chamberlain	Griggs	Peck	Travis
Chase	Grosse	Phillips	Treanor
Chickering	Gwinup	Pitcher	Tuthill, H. H.
Childs	Hagan	Potts	Tuttle, R. M.
Cohen	Havens	Rhodes	Varnum
Congdon	Hayes	Roberts	Wells, D. A.
Cookinham	Howland	Root	Wells, J. L.
Costello	Hurd	Russell	Weston
Crapser	Husted	Sanders	Wren
Cullinan			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	McCabe	Sipp
Andrews	Dougherty	Miller	Sisson
Baker, C. S.	Douglass	Mooers	Skinner
Beach	Duell	Morgan	Steele
Beates	Duguid	Newman	Strait
Benedict, E. D.	Ellis	Nowlan	Tallmadge
Bradley	Evans	O'Brien	Terpeny
Brennan	Ferris	Parker	Terry
Bridges	Fish	Peck	Thilemann
Brodsky	Fiske	Phillips	Titus
Bullock	Fitzgerald	Pitcher	Tormey
Carpenter, I. S.	Gray	Potter	Tozier
Chamberlain	Griggs	Potts	Travis
Chase	Hagan	Rhodes	Treanor
Chickering	Havens	Roberts	Tuthill, H. H.
Childs	Hayes	Root	Tuttle, R. M.
Congdon	Howland	Russell	Varnum
Costello	Hurd	Sanders	Waterbury

Crapser  
Cullinan  
Curtis  
Cushing  
Davis

Husted  
Lefever  
Liddle  
Lindsay  
Low

Seeley  
Shanley  
Sheridan  
Shuit

Wells, D. A.  
Wells, J. L.  
Weston  
Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847,'" having been announced for a third reading,

Mr. Curtis moved to recommit said bill to the committee on charitable and religious societies, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }  
{ NOES 25 }

Those who voted in the affirmative, were

Baker, C. S.	Costello	Havens	Seeley
Beach	Crapser	Hayes	Shanley
Benedict, E. D.	Cushing	Hurd	Sheridan
Benedict, T. E.	Deane	Husted	Sipp
Bennett	Dougherty	Liddle	Sisson
Bradley	Duell	McAvoy	Skinner
Brodsky	Duguid	McCarthy	Steele
Bullock	Ellis	McTernan	Tallmadge
Carpenter, E. A.	Evans	Miller	Terpeny
Carpenter, I. S.	Fish	Newman	Thilemann
Chickering	Fitzgerald	O'Brien	Tormey
Childs	Gillette	O'Connor	Tozier
Clancy	Gray	Phillips	Treanor
Clowes	Griggs	Rhodes	Waterbury
Cohen	Grosse	Roberts	Wells, D. A.
Congdon	Gwinup	Root	Weston
Cookinham	Hagan	Sanders	Wiley

Those who voted in the negative, were

Alvord	Curtis	Lefever	Pitcher
Beates	Davis	Lindsay	Potts
Brennan	Douglass	Low	Russell
Bridges	Gorsline	Mooers	Slingerland
Case	Howland	Morgan	Titus
Chamberlain	Ingersoll	Nowlan	Varnum
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Seeley
Andrews	Cushing	Lefever	Shanley
Baker, B. F.	Davis	Liddle	Sheridan
Baker, C. S.	Deane	Lindsay	Sherman
Beach	Douglass	Low	Shuit
Beates	Duell	McCabe	Sipp
Benedict, E. D.	Duguid	McCarthy	Sisson
Bradley	Ellis	McDonald	Skinner
Brennan	Evans	Miller	Steele
Bridges	Ferris	Mitchell	Tallmadge
Brodsky	Fish	Mooers	Terpeny
Bullock	Fitzgerald	Morgan	Terry
Carpenter, E. A.	Gibbs	Newman	Thilemann
Carpenter, L. S.	Gillette	Nowlan	Titus
Case	Gorsline	O'Brien	Tozier
Chamberlain	Gray	Phillips	Travis
Chickering	Griggs	Pitcher	Treanor
Childs	Grosse	Potts	Varnum
Clancy	Gwinup	Rhodes	Waterbury
Clowes	Hayes	Roberts	Wells, D. A.
Congdon	Howland	Root	Wells, J. L.
Cookinham	Hurd	Russell	Weston
Crapser	Husted	Sanders	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction and the time in which the same may be brought," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Ingersoll	Shanley
Andrews	Cushing	Lefever	Sheridan
Baker, B. F.	Davis	Liddle	Shuit
Baker, C. S.	Deane	Lindsay	Sipp
Beach	Dougherty	Low	Sisson
Beates	Duell	McAvoy	Steele
Benedict, E. D.	Duguid	McDonald	Tallmadge
Bennett	Ellis	Miller	Terpeny
Brennan	Evans	Mooers	Terry

Bridges	Ferris	Morgan	Thilemann
Brodsky	Fish	Newman	Titus
Bullock	Fitzgerald	Nowlan	Tozier
Carpenter, E. A.	Gillette	O'Brien	Travis
Carpenter, I. S.	Gorsline	Phillips	Treanor
Case	Gray	Pitcher	Tuthill, H. H.
Chickering	Grosse	Potter	Varnum
Childs	Hagan	Potts	Waterbury
Clancy	Hayes	Roberts	Wells, D. A.
Clowes	Hoffman	Root	Wells, J. L.
Congdon	Howland	Russell	Weston
Cookinham	Hurd	Sanders	Wiley
Costello	Husted	Seeley	Wren
Cullinan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of James B. Brady," having been announced for a third reading,

Mr. Cohen moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sherman
Andrews	Douglass	McAvoy	Shuit
Baker, B. F.	Duell	McCabe	Sipp
Baker, C. S.	Duguid	McDonald	Sisson
Beach	Ellis	Miller	Skinner
Beates	Evans	Mitchell	Steele
Bennett	Ferris	Mooers	Tallmadge
Bradley	Fish	Morgan	Terpeny
Brennan	Fitzgerald	Newman	Terry
Bridges	Gibbs	Nowlan	Thilemann
Brodsky	Gorsline	O'Brien	Titus
Bullock	Gray	O'Connor	Tormey
Carpenter, I. S.	Griggs	Phillips	Travis
Chickering	Grosse	Pitcher	Treanor
Childs	Gwinup	Potter	Tuthill, H. H.
Clancy	Hayes	Potts	Tuttle, R. M.
Clowes	Hoffman	Roberts	Varnum
Congdon	Howland	Root	Waterbury
Cookinham	Hurd	Russell	Wells, D. A.
Costello	Husted	Sanders	Wells, J. L.
Cullinan	Ingersoll	Seeley	Weston
Curtis	Lefever	Shanley	Wiley
Cushing	Liddle	Sheridan	Wren
Davis			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" with a message that they had passed the same, with the following amendments:

Section 1. Paragraph 6 of section 28 of chapter 140 of the Laws of 1850, entitled "An act to authorize the formation of railroad corporations and to regulate the same," is hereby amended so as to read as follows:

6. To cross, intersect, join and unite its railroad with any other railroad before constructed, at any point on its route and upon the ground of such other railroad company with the necessary turn-outs, sidings and switches and other conveniences in furtherance of the objects of its connection. And every company whose railroad is or shall be hereafter intersected by any new railroad shall unite with the owners of such new railroad in forming such intersections and connections and grant the facilities aforesaid; and if the two corporations cannot agree upon the amount of compensation to be made therefor, or the line or lines, the grade or grades, points and manner of such crossing and connections, the same shall be ascertained and determined by commissioners—one of whom must be a practical civil engineer—to be appointed by the court, as is provided in this act in respect to acquiring title to real estate; and said commissioners shall have full power to determine whether the crossing or crossings of any railroad before constructed shall be beneath, at or above the existing grade of any such railroad, and upon the route designated on the map of the company seeking the crossing required to be filed by section 22 of this act, or otherwise. And all companies whose railroads are or shall hereafter be crossed, intersected or joined as aforesaid, shall receive from each other and forward to their destination all goods, merchandise and other property intended for points on their respective roads with the same dispatch and at a rate of freight not exceeding the local tariff rate charged for similar goods, merchandise and other property received at and forwarded from the same point for individuals and other corporations.

§ 2. Nothing in this act contained shall apply to any surface railroad in the city of New York.

§ 3. This act shall take effect immediately.

Mr. Gillette moved to concur in the amendments, with the further following amendments:

Amend 2d section by adding the words "nor any railroad the route of which is already located."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. C. S. Baker moved to amend as follows:

Add as section 3 the following:

§ 3. Nothing in this act shall be construed to affect or impair the intent of the act passed in 1880 for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company.

Make section 3 section 4.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES . 67 }  
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Crapser	Husted	Roberts
Baker, B. F.	Curtis	Ingersoll	Root
Beach	Davis	Kennedy	Russell
Beates	Deane	Lefever	Sanders
Benedict, T. E.	Dougherty	Liddle	Sisson
Bennett	Duell	Low	Tallmadge
Brennan	Duguid	McDonald	Terry
Bridges	Ellis	Miller	Thilemann
Brotsky	Evans	Mitchell	Titus
Bullock	Ferris	Nowlan	Tozier
Carpenter, I. S.	Fish	O'Connor	• Travis
Case	Fitzgerald	Parker	• Treanor
Chase	Gorsline	Peck	Tuthill, H. H.
Chickering	Gray	Phillips	Tuttle, R. M.
Clark	Gwinup	Pitcher	Van Valkenburgh
Clowes	Havens	Potts	Wiley
Comstock	Hoffman	Rhodes	

Those who voted in the negative, were

Baker, C. S.	Costello	McCabe	Sipp
Bradley	Cushing	McTernan	Slingerland
Carpenter, E. A.	Gillette	Morgan	Varnum
Clancy	Hagan	Seeley	Waterbury
Cohen	Howland	Shanley	Wells, J. L.
Congdon	McAvoy	Shuit	Weston

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act relating to certain assessments for local improvements in the city of New York," with a message that they have concurred in the passage of the same with amendments.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 86 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curtis	Kennedy	Seeley
Baker, C. S.	Cushing	Lefever	Sherman
Beach	Davis	Liddle	Shuit
Beates	Deane	Lindsay	Sipp
Bennett	Dougherty	Low	Sisson
Bradley	Duell	McAvoy	Steele
Brennan	Duguid	McCarthy	Strait
Bridges	Evans	McDonald	Tallmadge
Brotsky	Ferris	McTernan	Terpeny
Bullock	Fish	Miller	Terry
Carpenter, E. A.	Fitzgerald	Mooers	Thilemann
Case	Gibbs	Morgan	Titus
Catlin	Gillette	Newman	Tozier
Chamberlain	Gray	Nowlan	Travis
Chickering	Grosse	Parker	Treanor
Childs	Gwinup	Phillips	Tuthill, H. H.
Cohen	Hayes	Pitcher	Tuttle, R. M.
Comstock	Hoffman	Potts	Varnum



Congdon	Howland	• Roberts	Waterbury
Cookinham	Hurd	Russell	Weston
Costello	Husted	Sanders	Wren
Cullinan	Ingersoll		

Those who voted in the negative, were

Ellis	O'Connor
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*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking, passed April 18, 1838,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Deane	Lefever	Shuit
Andrews	Dougherty	Liddle	Sipp
Baker, C. S.	Douglass	Lindsay	Sisson
Beach	Duell	Low	Steele
Beates	Duguid	McAvoy	Strait
Bradley	Evans	McCabe	Tallmadge
Brennan	Ferris	Miller	Terpeny
Bridges	Fish	Mooers	Terry
Brodsky	Fitzgerald	Morgan	Titus
Bullock	Gibbs	Newman	Tozier
Carpenter, I. S.	Gorsline	Nowlan	Travis
Chamberlain	Gray	Peck	Treanor
Chickering	Griggs	Phillips	Tuthill, H. H.
Childs	Gwinup	Pitcher	Tuttle, R. M.
Cohen	Hayes	Potts	Van Valkenburgh
Comstock	Hoffman	Roberts	Varnum
Congdon	Howland	Root	Waterbury
Cookinham	Hurd	Russell	Wells, D. A.
Costello	Husted	Sanders	Wells, J. L.
Cushing	Ingersoll	Seeley	Weston
Davis	Kennedy	Shanley	Wren

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act relating to the title to personal property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Davis	Kennedy	Seeley
Andrews	Deane	Lefever	Shanley

Baker, B. F.	Duguid	Liddle	Sheridan
Baker, O. S.	Ellis	Lindsay	Shuit
Beach	Evans	Low	Sipp
Beates	Ferris	McAvoy	Siason
Bennett	Fish	McCabe	Skinner
Bradley	Fitzgerald	McDonald	Slingerland
Brennan	Gibbs	Miller	Tallmadge
Brodsky	Gillette	Mooers	Terry
Bullock	Gray	Morgan	Thilemann
Carpenter, I. S.	Grosse	Newman	Titus
Chamberlain	Gwinup	Nowlan	Tozier
Chickering	Havens	O'Brien	Treanor
Childs	Hayes	Peck	Tuthill, H. H.
Cookinham	Hoffman	Pitcher	Waterbury
Costello	Howland	Roberts	Wells, D. A.
Cullinan	Hurd	Root	Wells, J. L.
Curtis	Husted	Russell	Weston
Cushing	Ingersoll	Sanders	Wren

Those who voted in the negative, were

Bridges	Phillips	Rhodes	Tuttle, R. M.
Douglass	Potts	Travis	Varnum
Mitchell			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Rhodes moved to reconsider the vote by which said bill was passed and that the motion do lie upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the negative.

Mr. Rhodes withdrew the motion to reconsider.

Senate bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in cases of sudden sickness or accident during the night time," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Comstock	Gwinup	Roberts
Andrews	Congdon	Hagan	Root
Baker, B. F.	Cookinham	Havens	Russell
Baker, O. S.	Costello	Hayes	Shanley
Beach	Curtis	Hoffman	Shuit
Beates	Cushing	Howland	Sipp
Benedict, E. D.	Davis	Husted	Siason
Bennett	Deane	Ingersoll	Skinner
Brennan	Duell	Kennedy	Slingerland
Bridges	Duguid	Lefever	Steele
Brodsky	Ellis	Liddle	Tallmadge
Bullock	Evans	Low	Terpeny
Carpenter, E. A.	Ferris	McCabe	Terry
Carpenter, I. S.	Fish	Miller	Tormey
Chase	Fitzgerald	Morgan	Travis

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Oatlin	Gibbs	Newman	Van Valkenburgh
Chase	Gillette	Nowlan	Waterbury
Childs	Gorsline	Peck	Wells, D. A.
Clancy	Gray	Phillips	Wells, J. L.
Clark	Griggs	Rhodes	Weston
Clowes	Grosse		

Those who voted in the negative, were

Cohen	Mitchell	Potts	Treanor
Grapser	O'Connor	Thilemann	Varnum

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for prevention of accident to children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Ferris	McTernan	Sisson
Andrews	Gillette	Mead	Skinner
Baker, B. F.	Gorsline	Morgan	Steele
Baker, C. S.	Gray	Newman	Strait
Beach	Griggs	Nowlan	Tallmadge
Beates	Gwinup	O'Brien	Terry
Benedict, E. D.	Hagan	Peck	Thilemann
Bridges	Havens	Phillips	Titus
Brodsky	Hayes	Pitcher	Tormey
Bullock	Howland	Potter	Travis
Carpenter, E. A.	Hurd	Rhodes	Treanor
Carpenter, I. S.	Husted	Roberts	Varnum
Case	Ingersoll	Root	Waterbury
Chamberlain	Liddle	Russell	Wells, D. A.
Chickering	Lindsay	Sanders	Wells, J. L.
Clancy	Low	Shanley	Weston
Clark	McAvoy	Sheridan	Wiley
Cookinham	McCarthy	Sherman	Wren
Davis	McDonald	Shuit	Youngs
Duguid			

Those who voted in the negative, were

Bradley	Deane	Lefever	Sipp
Brennan	Ellis	Miller	Shingerland
Childs	Evans	Mitchell	Terpeny
Cohen	Fish	O'Connor	Tozier
Congdon	Fitzgerald	Potts	Tuthill, H. H.
Costello	Grosse	Seeley	Tuttle, R. M.
Grapser			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }  
{ NOES 34 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shanley
Andrews	Dougherty	McAvoy	Sheridan
Baker, B. F.	Duguid	McTernan	Sherman
Baker, C. S.	Ferris	Miller	Shuit
Beach	Fish	Mooers	Slingerland
Beates	Fitzgerald	Morgan	Steele
Benedict, E. D.	Gibbs	Newman	Strait
Bennett	Gray	Nowlan	Tallmadge
Brodsky	Griggs	O'Brien	Titus
Bullock	Gwinup	Phillips	Tormey
Carpenter, E. A.	Hagan	Potter	Tuthill, H. H.
Carpenter, I. S.	Havens	Potts	Tuttle, R. M.
Chamberlain	Hayes	Rhodes	Waterbury
Chase	Hoffman	Roberts	Wells, D. A.
Childs	Hurd	Root	Weston
Clancy	Ingersoll	Sanders	Wren
Comstock	Kennedy	Seeley	Youngs
Costello			

Those who voted in the negative, were

Benedict, T. E.	Crapser	Howland	Parker
Bradley	Curtis	Liddle	Peck
Brennan	Cushing	Lindsay	Skinner
Bridges	Davis	Low	Terpeny
Case	Deane	McCabe	Varnum
Chickering	Douglass	McDonald	Warner
Clark	Ellis	Mitchell	Wells, J. L.
Congdon	Gillette	O'Connor	Wiley
Cookinham	Grosse		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Dougherty	McAvoy	Sisson
Beach	Douglass	McDonald	Skinner
Beates	Duell	Miller	Slingerland
Benedict, E. D.	Duguid	Mooers	Strait
Bradley	Ellis	Morgan	Tallmadge
Brennan	Evans	Newman	Terpeny
Brodsky	Ferris	Nowlan	Terry
Bullock	Fish	O'Brien	Thilemann
Carpenter, E. A.	Fiske	O'Connor	Titus
Carpenter, I. S.	Fitzgerald	Peck	Tormey
Case	Gibbs	Potter	Tozier
Chase	Gray	Potts	Travis
Clark	Gwinup	Rhodes	Treanor
Cohen	Havens	Roberts	Tuttle, R. M.
Comstock	Hayes	Root	Varnum
Cookinham	Hoffman	Russell	Waterbury
Costello	Howland	Sanders	Wells, D. A.
Crapser	Husted	Seeley	Wells, J. L.
Cullinan	Ingersoll	Shanley	Weston
Curtis	Kennedy		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Hurd	Sanders
Andrews	Costello	Ingersoll	Seeley
Baker, B. F.	Crapser	Kennedy	Sheridan
Baker, C. S.	Cullinan	Lefever	Sherman
Beach	Curtis	Lindsay	Shuit
Beates	Davis	McDonald	Skinner
Benedict, E. D.	Deane	McTernan	Slingerland
Bradley	Douglass	Miller	Strait
Brennan	Duell	Mooers	Tallmadge
Bridges	Evans	Morgan	Thilemann
Brodsky	Ferris	Newman	Titus
Bullock	Fish	Nowlan	Tormey
Carpenter, E. A.	Fiske	O'Brien	Tozier
Carpenter, I. S.	Fitzgerald	Parker	Treanor
Case	Gibbs	Phillips	Tuttle, R. M.
Catlin	Gillette	Pitcher	Varnum
Chickering	Gray	Potts	Waterbury
Childs	Griggs	Rhodes	Wells, D. A.

Clark  
Olwes  
Cohen

Hayes  
Hoffman  
Howland

Roberts  
Root  
Russell

Wells, J. L.  
Weston

Those who voted in the negative, were

Ellis

Havens

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Benedict, T. E.  
Bradley  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Catlin  
Chase  
Chickering  
Clark  
Cohen  
Comstock  
Costello  
Cullinan

Curtis  
Cushing  
Davis  
Deane  
Dougherty  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris  
Fish  
Gibbs  
Gillette  
Gorsline  
Gray  
Griggs  
Gwinup  
Havens  
Hayes  
Hoffman  
Howland

Hurd  
Husted  
Ingersoll  
Lefever  
Liddle  
Lindsay  
Low  
McCabe  
McDonald  
Miller  
Mooers  
Morgan  
Newman  
Nowlan  
O'Brien  
O'Connor  
Pitcher  
Potts  
Rhodes  
Roberts  
Root  
Russell

Sanders  
Seeley  
Sheridan  
Sherman  
Shuit  
Skinner  
Slingerland  
Steele  
Tallmadge  
Terpeny  
Terry  
Thilemann  
Tormey  
Tozier  
Travis  
Treanor  
Tuthill, H. H.  
Tuttle, R. M.  
Varnum  
Waterbury  
Wells, D. A.  
Weston

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 176 of the Laws of 1876, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord  
Andrews

Davis  
Deane

Ingersoll  
Kennedy

Peck  
Pitcher

Baker, B. F.	Dougherty	Lefever	Potter
Baker, C. S.	Douglass	Liddle	Potts
Beates	Ellis	Lindsay	Roberts
Benedict, E. D.	Evans	Low	Root
Bradley	Ferris	McAvoy	Shuit
Brennan	Fish	McCarthy	Skinner
Bridges	Fiske	McDonald	Tallmadge
Bullock	Fitzgerald	McTernan	Terry
Carpenter, E. A.	Gibbs	Miller	Thilemann
Catlin	Gillette	Mooers	Tormey
Clowes	Gorsline	Morgan	Treanor
Comstock	Gray	Newman	Tuttle, R. M.
Costello	Gwinup	Nowlan	Waterbury
Crapser	Hoffman	O'Brien	Wells, D. A.
Cullinan	Howland	O'Connor	Wren
Curtis	Hurd	Parker	Youngs
Cushing	Husted		

Those who voted in the negative, were

Benedict, T. E.      Rhodes      Varnum

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 376 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Sheridan
Andrews	Costello	Hurd	Sherman
Baker, B. F.	Cullinan	Ingersoll	Shuit
Baker, C. S.	Curtis	Kennedy	Sisson
Beates	Cushing	Lefever	Skinner
Benedict, E. D.	Davis	Liddle	Slingerland
Bradley	Deane	Lindsay	Steele
Brennan	Duguid	Low	Strait
Bridges	Ellis	McCarthy	Tallmadge
Brodsky	Evans	McDonald	Terry
Bullock	Ferris	Miller	Thilemann
Carpenter, E. A.	Fish	Mooers	Tormey
Carpenter, I. S.	Fiske	Newman	Tozier
Catlin	Gibbs	Nowlan	Travis
Chamberlain	Gillette	O'Brien	Tuttle, R. M.
Chase	Gorsline	Parker	Warner
Chickering	Gray	Potts	Waterbury
Clark	Griggs	Rhodes	Wells, D. A.
Clowes	Gwinup	Roberts	Wells, J. L.
Cohen	Havens	Root	Weston
Comstock	Hayes	Seeley	Youngs
Congdon	Hoffman	Shanley	

Those who voted in the negative, were

Dougherty      O'Connor



*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act further to amend chapter 417 of the Laws of 1862, entitled 'An act to alter the term for which criminals may be sentenced to State prison, and to provide for their earning a commutation of sentence, and an increase of the amount to be paid them on their discharge,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cushing	Howland	Russell
Andrews	Davis	Hurd	Sheridan
Baker, B. F.	Dougherty	Ingersoll	Sherman
Baker, O. S.	Douglass	Kennedy	Shuit
Beates	Duell	Lefever	Sisson
Benedict, E. D.	Duguid	Liddle	Skinner
Bradley	Ellis	Lindsay	Slingerland
Brennan	Evans	Low	Steele
Bridges	Ferris	McCabe	Strait
Brodsky	Fish	McDonald	Tallmadge
Catlin	Fiske	Miller	Terpeny
Chamberlain	Fitzgerald	Morgan	Terry
Chase	Gibbs	Newman	Tormey
Chickering	Gorsline	Nowlan	Tozier
Clark	Gray	O'Brien	Travis
Cohen	Griggs	O'Connor	Varnum
Comstock	Grosse	Peck	Warner
Cookinham	Gwinup	Phillips	Waterbury
Costello	Hagan	Rhodes	Wells, D. A.
Cullinan	Havens	Roberts	Wells, J. L.
Curtis	Hoffman	Root	Weston

Those who voted in the negative, were

Potts                      Tuttle, R. M.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

*Resolved*, That the special committee on taxation be discharged from the further consideration of Senate bill No. 268, entitled "An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Senate bill entitled "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the rights of suffrage in the State of New York,

except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,''' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Comstock	Husted	Russell
Andrews	Cookinham	Lefever	Sanders
Baker, B. F.	Cullinan	Lindsay	Seeley
Baker, C. S.	Curtis	Low	Shuit
Beates	Cushing	McAvoy	Sipp
Benedict, T. E.	Davis	Miller	Sisson
Bradley	Duell	Mooers	Slingerland
Brennan	Duguid	Morgan	Steele
Bridges	Evans	Nowlan	Terry
Brodsky	Ferris	O'Brien	Tuttle, R. M.
Bullock	Fish	Peck	Varnum
Carpenter, E. A.	Fiske	Pitcher	Waterbury
Carpenter, I. S.	Gray	Potter	Wells, D. A.
Chamberlain	Grosse	Potts	Wells, J. L.
Chase	Hayes	Roberts	Weston
Chickering	Howland	Root	Wren
Clark	Hurd		

Those who voted in the negative, were

Case	Dougherty	Shanley	Tormey
Catlin	Hagan	Skinner	Tozier
Clancy	Newman	Thilemann	Tuthill, H. H.
Cohen	Rhodes		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 364), entitled "An act to amend and provide for the printing and publication of an act entitled 'An act supplemental to the Code of Civil Procedure, and to amend certain provisions of the Revised Statutes applicable thereto,'" reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Terry, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 3 }

Those who voted in the affirmative, were

Baker, C. S.	Fish	McDonald	Sipp
Beach	Fitzgerald	Mead	Sisson

Benedict, E. D.	Gorsline	Miller	Skinner
Bradley	Gray	Mooers	Slingerland
Brennan	Griggs	Nowlan	Tallmadge
Bridges	Grosse	Peck	Terry
Bullock	Gwinup	Phillips	Thilemann
Chickering	Havens	Pitcher	Tormey
Clark	Hayes	Potter	Tozier
Comstock	Hoffman	Potts	Travis
Congdon	Howland	Rhodes	Treanor
Cookinham	Hurd	Roberts	Tuthill, H. H.
Curtis	Husted	Root	Tuttle, R. M.
Davis	Kennedy	Russell	Van Valkenburgh
Dougherty	Lefever	Sanders	Warner
Douglass	Liddle	Seeley	Waterbury
Duguid	Lindsay	Sheridan	Wells, D. A.
Evans	Low	Sherman	Weston
Ferris	McCarthy	Shuit	Wren

Those who voted in the negative, were

Alvord                      Carpenter, E. A.    Cohen

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business report of the committee of the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Senate bill entitled "An act conferring additional powers on the board of education of union free school district No. 1, of the town of Deerpark, Orange county, and school district No. 4, of the town of Johnstown, Fulton county, and granting additional privileges to said districts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Duell	McCabe	Sherman
Baker, C. S.	Duguid	McCarthy	Shuit
Beach	Ellis	McDonald	Sipp
Beates	Ferris	McTernan	Sisson
Benedict, E. D.	Fish	Mead	Skinner
Bradley	Fitzgerald	Miller	Slingerland
Brennan	Gibbs	Mooers	Tallmadge
Bridges	Gillette	Morgan	Terry
Bullock	Gray	Newman	Titus
Carpenter, E. A.	Grosse	Nowlan	Tormey
Chase	Hagan	O'Brien	Travis
Chickering	Hayes	Peck	Treanor
Clancy	Hoffman	Phillips	Tuthill, H. H.
Clark	Howland	Pitcher	Tuttle, R. M.
Cohen	Hurd	Potter	Van Valkenburgh
Comstock	Husted	Potts	Varnum

Congdon	Kennedy	Roberts	Warner
Curtis	Lefever	Root	Waterbury
Cushing	Liddle	Russell	Wells, D. A.
Davis	Lindsay	Sanders	Wells, J. L.
Deane	Low	Seeley	Weston
Dougherty	McAvoy	Sheridan	Youngs
Douglass			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Dougherty	Low	Shuit
Baker, C. S.	Douglass	McAvoy	Sipp
Beach	Duell	McCabe	Sisson
Beates	Duguid	McCarthy	Steele
Benedict, E. D.	Evans	McDonald	Tallmadge
Bennett	Ferris	McTernan	Terry
Brennan	Fish	Miller	Thilemann
Bridges	Fitzgerald	Mooers	Tormey
Broday	Gillette	Morgan	Tozier
Bullock	Gorsline	Newman	Travis
Carpenter, E. A.	Gray	Nowlan	Treanor
Chase	Grosse	Phillips	Tully
Chickering	Hagan	Pitcher	Tuthill, H. H.
Childs	Hayes	Potter	Tuttle, R. M.
Clark	Hoffman	Potts	Van Valkenburgh
Comstock	Howland	Roberts	Varnum
Congdon	Hurd	Root	Waterbury
Cookinham	Husted	Russell	Wells, D. A.
Curtis	Kennedy	Sanders	Wells, J. L.
Cushing	Lefever	Seeley	Weston
Davis	Liddle	Sheridan	Wren
Deane	Lindsay	Sherman	Youngs

Those who voted in the negative, were

Crapser	Gwinup	Skinner
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Senate bill entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838,'" with a message that they do non-concur with the amendments made therein in the Assembly, and request a committee of conference, and have appointed Messrs. McCarthy, Wendover and Stevens as such committee on its part.

Mr. Speaker put the question whether the House would concur in said request for a conference committee, and it was determined in the affirmative.

Mr. Speaker appointed as such conference committee, Messrs. Van Valkenburgh, Ingersoll, Tuthill, Ellis and Rhodes.

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

By unanimous consent,

Mr. Speaker offered for the consideration of the House a resolution in the words following:

*Resolved*, That a respectful message be sent to the Senate requesting the return of Assembly bill No. 364, entitled "An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate.

Senate bill entitled "An act to legalize certain proceedings of the common council of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sisson
Baker, C. S.	Dougherty	McAvoy	Slingerland
Beach	Douglass	McCabe	Strait
Beates	Duell	McCarthy	Tallmadge
Benedict, T. E.	Duguid	McDonald	Terpeny
Bennett	Evans	McTernan	Terry
Bradley	Ferris	Mooers	Thilemann
Brennan	Fitzgerald	Morgan	Tormey
Bridges	Gibbs	Newman	Tozier
Brodsky	Gillette	Nowlan	Travis
Bullock	Gorsline	O'Connor	Treanor
Carpenter, I. S.	Gray	Phillips	Tuthill, H. H.
Chase	Hagan	Potts	Tuttle, R. M.
Chickering	Hayes	Roberts	Van Valkenburgh
Ohilda	Hoffman	Sanders	Varnum
Clark	Howland	Seeley	Warner
Cohen	Hurd	Shanley	Waterbury
Comstock	Husted	Sheridan	Wells, D. A.
Congdon	Kennedy	Shuit	Wells, J. L.
Curtis	Lefever	Sipp	Weston
Cushing			

Those who voted in the negative, were

Crapser	Havens	Mead	Parker
Davis	Low	Miller	Skinner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 444 of the Laws of

1876, entitled 'An act to establish a State Board of Audit and to define its powers and duties,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Dougherty	Lefever	Seeley
Baker, C. S.	Douglass	Lindsay	Sheridan
Beach	Duguid	Low	Shuit
Beates	Evans	McAvoy	Sipp
Benedict, E. D.	Ferris	McCabe	Skinner
Bennett	Fish	McCarthy	Slingerland
Bradley	Fitzgerald	McDonald	Tallmadge
Brennan	Gillette	McTernan	Terpeny
Bridges	Gorsline	Mead	Terry
Brodsky	Gray	Miller	Thilemann
Bullock	Griggs	Mooers	Tormey
Case	Gwinup	Morgan	Tozier
Chamberlain	Hagan	Nowlan	Travis
Chickering	Havens	Parker	Treanor
Childs	Hayes	Phillips	Tuthill, H. H.
Clancy	Hoffman	Pitcher	Tuttle, R. M.
Clark	Howland	Potter	Van Valkenburgh
Congdon	Hurd	Potts	Warner
Cookinham	Husted	Roberts	Waterbury
Curtis	Ingersoll	Russell	Wells, D. A.
Cushing	Kennedy	Sanders	Wren
Deane			

Those who voted in the negative, were

Benedict, T. E.	Crapser	Davis	Newman
Cohen			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Duguid	McAvoy	Shuit
Baker, C. S.	Ferris	McCabe	Sipp
Beach	Fish	McCarthy	Sisson
Beates	Fitzgerald	McDonald	Skinner
Benedict, E. D.	Gibbs	Miller	Slingerland
Bennett	Gillette	Mooers	Tallmadge
Brennan	Gorsline	Morgan	Terpeny
Bridges	Gray	Newman	Terry
Case	Gwinup	Nowlan	Tormey

Chase	Hagan	O'Connor	Tozier
Chickering	Hayes	Parker	Travis
Childs	Hoffman	Phillips	Treanor
Clark	Howland	Pitcher	Tuthill, H. H.
Cohen	Hurd	Potter	Van Valkenburgh
Congdon	Husted	Potts	Varnum
Cushing	Ingersoll	Roberts	Warner
Davis	Kennedy	Root	Waterbury
Deane	Lefever	Russell	Wells, D. A.
Dougherty	Liddle	Seeley	Weston
Duell	Lindsay	Sheridan	Wren

Those who voted in the negative, were

Benedict, T. E.	Cookinham	Low	Wells, J. L.
Bradley	Curtis	Tuttle, R. M.	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 47 }  
{ NOES 47 }

Those who voted in the affirmative, were

Baker, B. F.	Cushing	Hoffman	Sanders
Baker, C. S.	Dougherty	Howland	Seeley
Beach	Ellis	Lindsay	Shanley
Beates	Evans	McAvoy	Sheridan
Benedict, T. E.	Fitzgerald	McCarthy	Tallmadge
Bennett	Gibbs	McTernan	Thilemann
Bullock	Gorsline	Morgan	Titus
Chase	Grosse	Newman	Tormey
Clanoy	Gwinup	O'Connor	Tozier
Clark	Hagan	Parker	Treanor
Cohen	Havens	Rhodes	Wiley
Congdon	Hayes	Russell	

Those who voted in the negative, were

Alvord	Deane	McCabe	Shuit
Benedict, E. D.	Douglass	Mead	Sipp
Bradley	Duell	Miller	Sisson
Brennan	Duguid	Mooers	Skinner
Bridges	Ferris	Nowlan	Travis
Brodsky	Fish	Peck	Tuthill, H. H.
Chickering	Gillette	Phillips	Tuttle, R. M.
Childs	Gray	Pitcher	Varnum
Cookinham	Hurd	Potter	Warner
Crapser	Kennedy	Potts	Waterbury
Curtis	Liddle	Roberts	Wells, J. L.
Davis	Low	Root	

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.



Senate bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Fitzgerald	Miller	Sipp
Beach	Gillette	Mooers	Sisson
Beates	Gorsline	Morgan	Skinner
Benedict, E. D.	Gray	Newman	Slingerland
Bennett	Grosse	Nowlan	Tallmadge
Bradley	Hayes	O'Brien	Thilemann
Bridges	Hoffman	Phillips	Titus
Brodsky	Howland	Pitcher	Tormey
Bullock	Hurd	Potter	Tozier
Chase	Husted	Potts	Travis
Chickering	Ingersoll	Roberts	Treanor
Clark	Kennedy	Root	Tully
Congdon	Lefever	Russell	Tuthill, H. H.
Cookinham	Liddle	Sanders	Tuttle, R. M.
Cushing	Lindsay	Seeley	Warner
Davis	Low	Shanley	Waterbury
Deane	McAvoy	Sheridan	Wells, D. A.
Duell	McCabe	Sherman	Weston
Duguid	McCarthy	Shuit	Wren
Fish			

Those who voted in the negative, were

Benedict, T. E.	Ellis	Havens	Wells, J. L.
Crapser	Gwinup	Parker	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Hurd	Seeley
Baker, B. F.	Davis	Husted	Sheridan
Baker, C. S.	Deane	Kennedy	Sherman
Beach	Dougherty	Lindsay	Shuit
Beates	Duell	Low	Sisson
Benedict, E. D.	Duguid	McAvoy	Skinner
Benedict, T. E.	Ellis	McCabe	Slingerland
Bennett	Ferris	Miller	Tallmadge
Bradley	Fish	Mooers	Thilemann

Brennan	Fiske	Morgan	Titus
Bridges	Fitzgerald	Newman	Tozier
Brodsky	Gibbs	Nowlan	Travis
Bullock	Gillette	O'Brien	Treanor
Casa	Gorsline	Parker	Tuthill, H. H.
Chamberlain	Gray	Phillips	Varnum
Chase	Griggs	Pitcher	Warner
Chickering	Grosse	Potter	Waterbury
Clark	Gwinup	Potts	Wells, D. A.
Cohen	Hagan	Roberts	Wells, J. L.
Congdon	Hayes	Root	Weston
Cookinham	Hoffman	Russell	Wren
Curtis	Howland	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to protect Central park in the city of New York and the streets bordering upon the same from encroachment by elevated railroads," with a message that they do assent to a committee of conference, and have appointed as such committee on its part Messrs. Strahan, Eidman and Hogan.

*Ordered*, That the Clerk return said bill to the Senate.

A message was received from the Senate in words following:

IN SENATE, *May 26, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton,' and the laws amendatory thereof."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Mills, and by unanimous consent, the same was amended as follows:

Page 3, line 11, strike out word "or" and insert in lieu thereof the word "and."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	McAvoy	Sherman
Baker, B. F.	Davis	McCabe	Shuit
Baker, C. S.	Deane	McCarthy	Sipp
Beach	Duell	McDonald	Sisson
Beates	Duguid	McTernan	Skinner
Benedict, E. D.	Ellis	Miller	Tallmadge
Benedict, T. E.	Evans	Mooers	Terry
Bennett	Ferris	Morgan	Thilemann
Bradley	Fish	Nowlan	Titus
Brennan	Fiske	O'Brien	Tozier
Bridges	Fitzgerald	Phillips	Travis
Brodsky	Gillette	Pitcher	Treanor

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Bullock	Gorsline	Potter	Tuthill, H. H.
Catlin	Gray	Potts	Tuttle, R. M.
Chase	Grosse	Roberts	Van Valkenburgh
Chickering	Hayes	Root	Varnum
Childs	Howland	Russell	Warner
Clark	Hurd	Sanders	Waterbury
Cohen	Husted	Seeley	Wells, J. L.
Congdon	Ingersoll	Shanley	Weston
Crapser	Lefever	Sheridan	Wren
Curtis	Lindsay		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cushing	Low	Shuit
Baker, B. F.	Davis	McCabe	Sipp
Baker, C. S.	Deane	McCarthy	Sisson
Beach	Dougherty	McDonald	Skinner
Beates	Duell	Mead	Slingerland
Benedict, E. D.	Duguid	Miller	Tallmadge
Benedict, T. E.	Evans	Mooers	Terry
Bennett	Ferris	Newman	Thilemann
Bradley	Fish	O'Brien	Titus
Brennan	Fiske	Phillips	Tozier
Bridges	Gillette	Pitcher	Travis
Brodsky	Gorsline	Potter	Treanor
Bullock	Gray	Potts	Tully
Case	Gwinup	Rhodes	Tuthill, H. H.
Catlin	Hagan	Roberts	Tuttle, R. M.
Chamberlain	Hayes	Root	Varnum
Chase	Howland	Russell	Warner
Chickering	Hurd	Sanders	Waterbury
Childs	Husted	Seeley	Wells, J. L.
Cohen	Ingersoll	Shanley	Weston
Congdon	Kennedy	Sheridan	Wren
Cookinham	Liddle	Sherman	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to incorporate the 'Order Germania' New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Cohen	Howland	Roberts
Andrews	Comstock	Hurd	Root
Baker, B. F.	Costello	Husted	Steele
Baker, C. S.	Cullinan	Ingersoll	Sheridan
Beach	Curtis	Kennedy	Sherman

Beates	Davis	Lefever	Shuit
Benedict, E. D.	Deane	Liddle	Sipp
Benedict, T. E.	Duguid	Low	Sisson
Bennett	Ellis	McCabe	Skinner
Brennan	Evans	McCarthy	Slingerland
Bridges	Fish	McDonald	Steele
Brodsky	Fiske	Mooers	Tallmadge
Bullock	Fitzgerald	Morgan	Terry
Carpenter, E. A.	Gibbs	Newman	Thilemann
Carpenter, I. S.	Gillette	Nowlan	Waterbury
Catlin	Gray	O'Brien	Wells, D. A.
Chamberlain	Grosse	Parker	Wells, J. L.
Chickering	Gwinup	Peck	Weston
Childs	Hagan	Potter	Wiley
Clark	Hayes	Potts	Wren

Those who voted in the negative, were

Cookinham	Cushing	Gorsline	Hoffman
Crapser	Douglass	Havens	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Comstock	Hayes	Nowlan
Andrews	Cookinham	Hoffman	O'Brien
Baker, B. F.	Crapser	Howland	Peck
Baker, C. S.	Cullinan	Hurd	Pitcher
Beach	Curtis	Husted	Potter
Beates	Cushing	Ingersoll	Root
Benedict, E. D.	Davis	Kennedy	Russell
Bennett	Deane	Lefever	Sheridan
Bradley	Douglass	Liddle	Sherman
Brennan	Duell	Lindsay	Shuit
Bridges	Ellis	Low	Sipp
Brodsky	Evans	McAvoy	Sisson
Carpenter, E. A.	Fish	McCabe	Skinner
Carpenter, I. S.	Gibbs	McCarthy	Titus
Case	Gillette	Miller	Travis
Chamberlain	Gorsline	Mitchell	Tuttle, R. M.
Chickering	Gray	Mooers	Waterbury
Clowes	Gwinup	Morgan	Wells, D. A.
Wren			

Those who voted in the negative, were

Catlin	Dougherty	McDonald	Shanley
Clancy	Fitzgerald	Newman	Thilemann
Cohen	Havens	Parker	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Davis	Lefever	Seeley
Baker, B. F.	Deane	Lindsay	Shanley
Baker, C. S.	Douglass	McAvoy	Sherman
Beach	Duell	McCabe	Shuit
Beates	Duguid	McCarthy	Sipp
Benedict, E. D.	Evans	McDonald	Sisson
Bennett	Ferris	McTernan	Skinner
Brennan	Fish	Miller	Tallmadge
Bridges	Fiske	Mooers	Terpeny
Brodsky	Fitzgerald	Morgan	Thilemann
Bullock	Gibbs	Nowlan	Titus
Carpenter, I. S.	Gillette	Parker	Tozier
Catlin	Gorsline	Phillips	Travis
Chase	Gray	Pitcher	Treanor
Chickering	Griggs	Potter	Tuttle, R. M.
Clancy	Hayes	Potts	Warner
Clark	Hoffman	Rhodes	Waterbury
Congdon	Howland	Roberts	Wells, D. A.
Cookinham	Hurd	Root	Wells, J. L.
Cullinan	Husted	Russell	Weston
Curtis	Ingersoll	Sanders	Wren
Cushing	Kennedy		

Those who voted in the negative, were

Grosse	Gwinup	Havens
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grosse, and by unanimous consent, said bill was substituted for Assembly bill No. 792, on same subject.

Senate bill entitled "An act to provide for the revision of the special and local laws affecting public interests in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Shanley
Andrews	Davis	Liddle	Sheridan

Baker, B. F.	Douglass	Lindsay	Sherman
Baker, C. S.	Duell	Low	Shuit
Beach	Duguid	McCabe	Sipp
Beates	Ferris	Mead	Sisson
Benedict, E. D.	Fish	Miller	Skinner
Bradley	Fiske	Mooers	Slingerland
Bridges	Fitzgerald	Morgan	Tallmadge
Brodsky	Gibbs	Newman	Terry
Bullock	Gillette	Nowlan	Thilemann
Carpenter, I. S.	Gorsline	O'Brien	Tormey
Catlin	Griggs	Phillips	Tozier
Chamberlain	Hagan	Pitcher	Treanor
Chickering	Hayes	Potter	Tuthill, H. H.
Childs	Hoffman	Potts	Van Valkenburgh
Clark	Howland	Roberts	Varnum
Clowes	Hurd	Root	Wells, D. A.
Congdon	Husted	Russell	Wells, J. L.
Cookinham	Ingersoll	Sanders	Weston
Cullinan	Kennedy	Seeley	Wren
Curtis			

Those who voted in the negative, were

Crapser	Peck	Travis
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 70 }  
 } NOES 26 }

Those who voted in the affirmative, were

Alvord	Duguid	Ingersoll	Russell
Andrews	Evans	Kennedy	Sanders
Baker, B. F.	Ferris	Lefever	Shanley
Baker, C. S.	Fish	Lindsay	Sheridan
Beach	Fiske	McAvoy	Shuit
Beates	Fitzgerald	McCarthy	Sisson
Benedict, E. D.	Gibbs	McDonald	Terpeny
Bullock	Gillette	Mead	Terry
Catlin	Gorsline	Morgan	Thilemann
Chamberlain	Gray	Newman	Tozier
Clanoy	Grosse	Nowlan	Travis
Clowes	Gwinup	O'Brien	Treanor
Comstock	Hagan	O'Connor	Tuthill, H. H.
Congdon	Hayes	Phillips	Van Valkenburgh
Cullinan	Hoffman	Potter	Wells, D. A.
Cushing	Howland	Roberts	Wiley
Deane	Hurd	Root	Wren
Dougherty	Husted		

Those who voted in the negative, were

Bradley	Curtis	Pitcher	Slingerland
Brennan	Davis	Potts	Tuttle, R. M.
Bridges	Douglass	Seeley	Varnum
Brodsky	Liddle	Sherman	Waterbury

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1809

Case  
Cookinham  
Crapser

Low  
Miller  
Mitchell

Sipp  
Skinner

Wells, J. L.  
Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following :

*Resolved* (if the Senate concur), That the President of the Senate, the Speaker of the Assembly, the committee on militia of the Senate and the committee on militia of the Assembly be, and they are hereby appointed to represent the Legislature of this State at the approaching meeting of the society of the Army of the Potomac, to be held at the city of Burlington, Vt., on the 16th day of June next, without expense to the State.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A message from the Senate was received in the words following :

IN SENATE, *May 26*, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act further to regulate the admission to this State of fire and marine insurance companies from other countries than the United States."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Schroeder, and by unanimous consent, the same was amended as follows :

Section 4, line 6, after the word "State" strike out balance of section.

And as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Benedict, T. E.  
Bennett  
Bradley  
Brennan  
Bridges

Congdon  
Cookinham  
Curtis  
Cushing  
Davis  
Deane  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris]

Hoffman  
Howland  
Hurd  
Husted  
Ingersoll  
Kennedy  
Lefever  
Liddle  
Lindsay  
Low  
McAvoy  
McCarthy

Roberts  
Root  
Russell  
Seeley  
Shanley  
Sheridan  
Sherman  
Shuit  
Sipp  
Sisson  
Skinner]  
Slingerland

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Brotsky	Fish	McDonald	Tallmadge
Bullock	Fiske	Miller	Terpeny
Carpenter, E. A.	Fitzgerald	Mitchell	Terry
Carpenter, I. S.	Gibbs	Mooers	Tozier
Case	Gillette	Morgan	Travis
Catlin	Gorsline	Newman	Van Valkenburgh
Chamberlain	Gray	O'Brien	Warner
Chase	Grosse	Peck	Waterbury
Chickering	Gwinup	Phillips	Wells, D. A.
Childs	Hagan	Potts	Wells, J. L.
Cohen	Havens	Rhodes	Wren
Comstock	Hayes		

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McCarthy	Sipp
Andrews	Fiske	McDonald	Sisson
Baker, B. F.	Fitzgerald	Mead	Skinner
Baker, C. S.	Gibbs	Miller	Slingerland
Beach	Gillette	Morgan	Steele
Beates	Gorsline	Newman	Tallmadge
Benedict, E. D.	Gray	Nowlan	Terpeny
Brennan	Griggs	O'Brien	Terry
Brotsky	Grosse	O'Connor	Thilemann
Bullock	Havens	Peck	Tozier
Carpenter, E. A.	Hayes	Phillips	Travis
Carpenter, I. S.	Hoffman	Pitcher	Treanor
Catlin	Howland	Potts	Tuttle, R. M.
Chickering	Hurd	Rhodes	Van Valkenburgh
Cohen	Husted	Roberts	Varnum
Deane	Ingersoll	Root	Waterbury
Dougherty	Kennedy	Russell	Wells, D. A.
Douglass	Lefever	Sanders	Wells, J. L.
Duell	Liddle	Seeley	Weston
Duguid	Lindsay	Shanley	Wiley
Ellis	Low	Sheridan	Wren
Evans	McAvoy	Sherman	Youngs
Ferris	McCabe	Shuit	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The hour of two having arrived, the House took a recess until 4 P. M.

#### FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord	Deane	Low	Sherman
Baker, B. F.	Douglass	Miller	Shuit

Beates	Duell	Mooers	Sipp
Benedict, T. E.	Ferris	Morgan	Sisson
Bennett	Fish	Newman	Skinner
Bradley	Fitzgerald	O'Brien	Slingerland
Bridges	Gillette	Peck	Tallmadge
Brodsky	Gray	Phillips	Terpeny
Bullock	Gwinup	Pitcher	Thilemann
Carpenter, E. A.	Hagan	Potter	Tozier
Case	Havens	Rhodes	Travis
Clancy	Howland	Root	Treanor
Clowes	Hurd	Russell	Varnum
Cohen	Kennedy	Sanders	Waterbury
Comstock	Lefever	Seeley	Wells, J. L.
Cullinan	Liddle	Shanley	Wren
Curtis	Lindsay	Sheridan	Mr. Speaker

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A quorum being present.

By unanimous consent,

Mr. Shanley introduced a bill entitled "An act to provide for the election of a messenger for the common council of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cohen	Kennedy	Sanders
Andrews	Comstock	Lefever	Shanley
Baker, B. F.	Cookinham	Liddle	Sheridan
Baker, O. S.	Cullinan	Lindsay	Sherman
Beach	Curtis	Low	Shuit
Beates	Davis	Miller	Sipp
Benedict, E. D.	Deane	Mooers	Sisson
Benedict, T. E.	Douglass	Morgan	Skinner
Bennett	Duell	Newman	Slingerland
Bradley	Ferris	Nowlan	Tallmadge
Brennan	Fish	O'Brien	Terpeny
Bridges	Fitzgerald	O'Connor	Thilemann
Brodsky	Gibbs	Peck	Tozier
Bullock	Gillette	Phillips	Travis
Carpenter, E. A.	Gorsline	Pitcher	Treanor
Carpenter, I. S.	Gray	Potter	Varnum
Catlin	Gwinup	Potts	Warner
Chickering	Havens	Rhodes	Waterbury
Clancy	Howland	Roberts	Wells, J. L.
Clark	Hurd	Root	Weston
Clowes	Ingersoll	Russell	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

*Resolved*, That a committee of five be appointed to investigate the

affairs of the Cypress Hill Cemetery Association of the county of Queens, said committee to report to the Assembly of 1881, and to have power to send for persons and papers, said investigation under no circumstances will be any expense to the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley offered for the consideration of the House a resolution in the words following:

*Resolved* (if the Senate concur), That the Speaker of this House and the President of the Senate are hereby requested to represent this Legislature at the centennial celebration of the capture of Andre, at Tarrytown, on the 23d day of September next without expense to the State.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred Senate bill (introductory No. 360), entitled "An act in relation to the clerk and register of deeds of the city and county of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hagan, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 318), entitled "An act in relation to cleaning the streets of the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 292), entitled "An act to alter the map or plan of the city of New York by providing for the re-opening, extension and opening of a part of Bloomingdale road," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Treanor, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to incorporate the Metropolitan Merchandise Loan Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord  
Andrews

Cullinan  
Curtis

Kennedy  
Lefever

Shanley  
Sheridan

**MAY 26.]**

**1813**

Baker, B. F.	Cushing	Liddle	Shuit
Baker, C. S.	Davis	Lindsay	Sipp
Beach	Deane	Low	Sisson
Beates	Dougherty	McCarthy	Skinner
Bradley	Douglass	McDonald	Slingerland
Bridges	Duell	Miller	Steele
Brodsky	Duguid	Mooers	Tallmadge
Bullock	Evans	Morgan	Terpeny
Carpenter, E. A.	Ferris	Newman	Titus
Carpenter, I. S.	Fish	Nowlan	Tozier
Case	Fitzgerald	O'Brien	Varnum
Catlin	Gibbs	O'Connor	Warner
Chickering	Gillette	Parker	Waterbury
Childs	Gray	Phillips	Wells, D. A.
Clark	Griggs	Rhodes	Wells, J. L.
Clowes	Gwinup	Roberts	Weston
Comstock	Hayes	Root	Wiley
Congdon	Howland	Russell	Wren
Cookinham	Hurd	Seeley	

Those who voted in the negative, were  
Peck

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1181), entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposition of the ashes, garbage and street sweepings in said city," reported by order of the House the same complete, which report was agreed to.

On motion of Mr. Varnum, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 4 }

Those who voted in the affirmative, were

Andrews	Cookinham	Liddle	Sipp
Baker, B. F.	Cushing	Lindsay	Sisson
Baker, C. S.	Deane	Low	Skinner
Beach	Dougherty	McCarthy	Slingerland
Beates	Douglass	Mitchell	Tallmadge
Benedict, E. D.	Duell	Mooers	Terpeny
Bradley	Duguid	Morgan	Thilemann
Bridges	Evans	Newman	Titus
Brodsky	Ferris	Phillips	Tormey
Bullock	Fiske	Pitcher	Treanor
Carpenter, E. A.	Gillette	Potts	Tuthill, H. H.
Case	Gray	Rhodes	Varnum
Chamberlain	Griggs	Roberts	Warner
Chickering	Hagan	Root	Waterbury
Childs	Hayes	Sanders	Wells, D. A.
Clowes	Howland	Seeley	Wells, J. L.
Cohen	Hurd	Sherman	Weston
Congdon	Lefever	Shuit	Wren

Those who voted in the negative, were

Alvord	Benedict, T. E.	Havens	Parker
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Congdon	Lefever	Root
Andrews	Cookinham	Liddle	Russell
Baker, B. F.	Cullinan	Lindsay	Shanley
Baker, C. S.	Curtis	Low	Sherman
Beach	Cushing	McCabe	Sisson
Beates	Davis	McCarthy	Skinner
Benedict, E. D.	Deane	McDonald	Tallmadge
Benedict, T. E.	Douglass	Miller	Terpeny
Bridges	Duell	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Bullock	Ferris	Morgan	Travis
Case	Fish	Newman	Treanor
Catlin	Gibbs	Nowlan	Warner
Chickering	Gillette	O'Brien	Waterbury
Childs	Gray	Parker	Wells, D. A.
Clanoy	Gwinup	Peck	Wells, J. L.
Clark	Havens	Phillips	Weston
Clowes	Howland	Potts	Wiley
Cohen	Hurd	Rhodes	Wren
Comstock	Kennedy	Roberts	

Those who voted in the negative, were

Pitcher	Seeley	Shuit
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	McCabe	Sherman
Andrews	Curtis	McCarthy	Shuit
Baker, B. F.	Cushing	Mead	Sipp
Baker, C. S.	Davis	Miller	Sisson
Beach	Deane	Mooers	Skinner

Beates	Dougherty	Morgan	Slingerland
Benedict, E. D.	Douglass	Newman	Tallmadge
Bradley	Duell	Nowlan	Terpeny
Brennan	Duguid	O'Brien	Terry
Bridges	Evans	O'Connor	Thilemann
Brodsky	Ferris	Peck	Titus
Bullock	Fish	Phillips	Tormey
Carpenter, E. A.	Gillette	Pitcher	Travis
Case	Gray	Potts	Treanor
Oatlin	Gwinup	Rhodes	Varnum
Chamberlain	Havens	Roberts	Warner
Chickering	Howland	Root	Waterbury
Clancy	Hurd	Russell	Wells, D. A.
Clark	Kennedy	Sanders	Wells, J. L.
Clowes	Lefever	Seeley	Weston
Cohen	Liddle	Shanley	Wiley
Comstock	Lindsay	Sheridan	Wren
Congdon	Low		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," being announced for a third reading,

On motion of Mr. Newman, and by unanimous consent, said bill was amended as follows:

Section 3, line 10, after "officers" insert "which court officers shall hereafter hold their offices subject to the orders of the court respectively."

Amend title by adding after the word "city" the words "and the appointment of court officers."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sheridan
Andrews	Davis	McCabe	Sherman
Baker, B. F.	Deane	McCarthy	Shuit
Baker, O. S.	Douglass	Miller	Sipp
Beach	Duell	Mooers	Sisson
Beates	Duguid	Morgan	Skinner
Bradley	Ellis	Newman	Slingerland
Bridges	Evans	Nowlan	Terry
Brodsky	Fish	O'Brien	Tozier
Bullock	Fitzgerald	Peck	Travis
Carpenter, E. A.	Gillette	Phillips	Tuthill, H. H.
Oatlin	Gray	Pitcher	Tuttle, R. M.
Chickering	Griggs	Potts	Warner
Childs	Gwinup	Rhodes	Waterbury
Clark	Hagan	Roberts	Wells, D. A.

Clowes	Havens	Root	Wells, J. L.
Cohen	Hurd	Russell	Weston
Comstock	Kennedy	Sanders	Wiley
Congdon	Lefever	Seeley	Wren
Cookinham	Liddle		•

Those who voted in the negative, were  
 Benedict, T. E.      Clancy      Howland

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES    74 }  
 { NOES    1 }

Those who voted in the affirmative, were

Alvord	Davis	McDonald	Sisson
Andrews	Douglass	Miller	Skinner
Baker, B. F.	Duguid	Morgan	Slingerland
Baker, C. S.	Evans	Nowlan	Steele
Beach	Ferris	O'Brien	Tallmadge
Beates	Fish	Parker	Terry
Benedict, E. D.	Gibbs	Peck	Titus
Bradley	Gillette	Potter	Tormey
Brennan	Gorsline	Potts	Tozier
Bridges	Gray	Rhodes	Treanor
Brodsky	Gwinup	Roberts	Tuthill, H. H.
Bullock	Havens	Root	Tuttle, R. M.
Chickering	Howland	Russell	Waterbury
Childs	Hurd	Sanders	Wells, D. A.
Clowes	Husted	Seeley	Wells, J. L.
Cohen	Kennedy	Sheridan	Weston
Comstock	Lefever	Shuit	Wiley
Cookinham	Liddle	Sipp	Wren
Cullinan	Lindsay		

Those who voted in the negative, were  
 Carpenter, E. A.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

*Resolved*, That a respectful message be sent to the Senate asking the return of Senate bill No. 49, entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate.



Senate bill entitled "An act to provide that the superintendent of the poor of the county of Columbia may be the keeper of the poor-house of said county, and to provide for his compensation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Husted	Russell
Andrews	Cullinan	Kennedy	Sanders
Baker, B. F.	Cushing	Lefever	Seeley
Baker, C. S.	Davis	Lindsay	Shuit
Beach	Deane	McCabe	Sipp
Beates	Douglass	McCarthy	Sisson
Benedict, E. D.	Duguid	McDonald	Skinner
Benedict, T. E.	Evans	Mead	Steele
Bradley	Ferris	Miller	Tallmadge
Brennan	Fish	Mooers	Terry
Bridges	Fiske	Morgan	Thilemann
Brodsky	Gibbs	Newman	Titus
Bullock	Gillette	Nowlan	Tozier
Case	Gorsline	O'Brien	Travis
Chase	Gray	Parker	Tuthill, H. H.
Chickering	Griggs	Phillips	Warner
Childs	Grosse	Pitcher	Waterbury
Clark	Gwinup	Potter	Wells, D. A.
Clowes	Hayes	Potts	Wells, J. L.
Cohen	Howland	Roberts	Weston
Comstock	Hurd	Root	Wren

Those who voted in the negative, were

Crapser

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to make effectual judicial decrees against unknown owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cushing	Lefever	Sheridan
Andrews	Davis	Lindsay	Sherman
Baker, B. F.	Deane	Low	Shuit
Baker, C. S.	Douglass	McCabe	Sipp
Beach	Duell	Mead	Sisson
Beates	Duguid	Miller	Tallmadge
Benedict, E. D.	Ferris	Mooers	Terpeny
Bradley	Fish	Morgan	Terry

Brennan	Fiske]	Newman	Tormey
Bridges	Fitzgerald	Nowlan	Tozier
Brodsky	Gibbs	O'Brien	Travis
Bullock	Gillette	Peck	Treanor
Carpenter, E. A.	Gorsline	Pitcher	Tuthill, H. H.
Chase	Gray	Potter	Varnum
Chickering	Grosse	Potts	Warner
Childs	Hayes	Roberts	Waterbury
Clark	Hoffman	Root	Wells, D. A.
Cohen	Howland	Russell	Wells, J. L.
Comstock	Hurd	Sanders	Weston
Congdon	Husted	Seeley	Wiley
Cookinham	Kennedy]	Shanley	Wren
Curtis			

Those who voted in the negative, were  
Parker

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 65 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Douglass	Low	Sheridan
Andrews	Duell	McCabe	Sherman
Baker, B. F.	Duguid	McCarthy	Shuit
Beates	Evans	Miller	Sipp
Benedict, E. D.	Ferris	Mooers	Sisson
Bradley	Fish	Morgan	Skinner
Bridges	Fitzgerald	Nowlan	Terry
Brodsky	Gorsline	O'Brien	Thilemann
Carpenter, E. A.	Gray	Peck	Tuthill, H. H.
Catlin	Grosse	Phillips	Tuttle, R. M.
Cohen	Hagan	Pitcher	Varnum
Comstock	Hayes	Potter	Waterbury
Congdon	Howland	Potts	Wells, J. L.
Cookinham	Hurd	Roberts	Weston
Cullinan	Kennedy	Root	Wren
Davis	Lefever	Seeley	Youngs
Dougherty			

Those who voted in the negative, were

Beach	Crapser	Gwinup	Rhodes
Benedict, T. E.	Curtis	Havens	Russell
Brennan	Cushing	Husted	Slingerland
Bullock	Ellis	Liddle	Titus
Case	Gibbs	Mead	Tormey
Chamberlain	Gillette	Newman	Wells, D. A.
Chase	Griggs	Parker	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to facilitate the collection of judgments against towns, counties, cities and villages," having been announced for a third reading,

Mr. B. F. Baker moved to substitute for said bill the Senate bill of same title and subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said Senate bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Comstock	Howland	Sheridan
Andrews	Congdon	Husted	Sherman
Baker, B. F.	Cookinham	Kennedy	Shuit
Beach	Cullinan	Lefever	Sipp
Beates	Curtis	McAvoy	Sisson
Benedict, E. D.	Cushing	Miller	Steele
Bennett	Davis	Mitchell	Terry
Bradley	Deane	Mooers	Thilemann
Brennan	Dougherty	Newman	Titus
Bridges	Douglass	Parker	Tormey
Brodsky	Duguid	Potter	Travis
Bullock	Ferris	Potts	Treanor
Catlin	Fish	Roberts	Varnum
Chamberlain	Fitzgerald	Root	Waterbury
Chase	Gibbs	Russell	Wells, D. A.
Chickering	Gillette	Sanders	Wells, J. L.
Clancy	Gorsline	Seeley	Weston
Clark	Gray	Shanley	Youngs

Those who voted in the negative, were

Benedict, T. E.	Griggs	McCabe	Tozier
Cohen	Gwinup	Mead	Tuttle, R. M.
Crapser	Havens	O'Connor	Wren
Ellis	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Congdon	Ingersoll	Sherman
Andrews	Cookinham	Kennedy	Shuit
Baker, B. F.	Crapser	Lefever	Sipp
Baker, O. S.	Cullinan	Lindsay	Sisson

Beach	Curtis	Miller	Steele
Beates	Cushing	Mitchell	Strait
Benedict, E. D.	Davis	Mooers	Tallmadge
Bradley	Dougherty	Morgan	Terry
Brennan	Douglass	Newman	Thilemann
Bridges	Ellis	Nowlan	Titus
Brodsky	Evans	O'Brien	Tozier
Bullock	Ferris	O'Connor	Travis
Carpenter, E. A.	Fitzgerald	Parker	Treanor
Catlin	Gorsline	Phillips	Tully
Chase	Gray	Pitcher	Tuttle, R. M.
Chickering	Griggs	Roberts	Van Valkenburgh
Childs	Gwinup	Root	Waterbury
Clark	Havens	Russell	Wells, D. A.
Clowes	Howland	Sanders	Wells, J. L.
Cohen	Hurd	Seeley	Weston
Comstock	Husted		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Mooers introduced a bill entitled "An act to amend chapter 346 of the Laws of 1879, entitled 'An act for the enlargement of Clinton State prison,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mooers, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 4 }

Those who voted in the affirmative, were

Andrews	Costello	Lindsay	Sipp
Baker, B. F.	Crapser	Low	Sisson
Baker, C. S.	Oullinan	McCabe	Slingerland
Beach	Curtis	McDonald	Steele
Beates	Douglass	Miller	Strait
Benedict, T. E.	Duguid	Mitchell	Tallmadge
Bennett	Evans	Mooers	Terpeny
Bradley	Ferris	Morgan	Thilemann
Brennan	Fish	Nowlan	Titus
Bridges	Fiske	O'Brien	Tormey
Brodsky	Fitzgerald	Parker	Tozier
Carpenter, E. A.	Gillette	Phillips	Travis
Carpenter, I. S.	Gorsline	Pitcher	Tully
Case	Gray	Potts	Tuthill, H. H.
Catlin	Griggs	Rhodes	Van Valkenburgh
Chamberlain	Howland	Roberts	Varuum
Chase	Hurd	Root	Waterbury
Chickering	Husted	Russell	Wells, D. A.
Childs	Ingersoll	Sanders	Wells, J. L.
Cohen	Kennedy	Seeley	Weston
Congdon	Lefever	Sherman	Wren
Cookinham	Liddle	Shuit	Youngs

Those who voted in the negative, were

Cushing

Davis

Gwinup

Havens

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," being announced for a third reading.

Mr. Sipp moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to regulate the dimensions and measurement of apple barrels," being announced for a third reading,

On motion of Mr. Gray, and by unanimous consent, said bill was amended in words following:

Section 6, strike out all the section and in place thereof insert: "Section 6. This act shall take effect on the first day of January, 1881."

Mr. Sherman moved to recommit said bill to the committee on agriculture, with instructions to amend the same in words following:

Section 1, line 1, after the word "apples" insert the words "pears, quinces, potatoes, and other vegetables."

Section 2, line 1, section 3, lines 4 and 5, by making the same insertion.

Mr. Cullinan moved further to instruct said committee to insert in line 2, section 1, after the word "staves" the words "not less than;" insert in line 3, section 1, after the word "be" the words "not less than;" insert in line 3, section 1, after the word "bulge" the words "not less than."

After debate,

Mr. Sherman moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Cullinan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Sherman, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 39 }

Those who voted in the affirmative, were

Andrews

Dougherty

Miller

Steele

Baker, C. S.

Douglass

Mitchell

Tallmadge

Beates

Duell

Mooers

Terpeny

Benedict, E. D.

Ellis

Newman

Thilemann

Bennett

Fitzgerald

Nowlan

Titus

Carpenter, E. A.

Gibbs

O'Brien

Tormey

Catlin	Gorsline	O'Connor	Travis
Chamberlain	Gray	Peck	Treanor
Chase	Grosse	Pitcher	Tully
Chickering	Gwinup	Potter	Tuthill, H. H.
Clancy	Hagan	Rhodes	Tuttle, R. M.
Clowes	Hayes	Roberts	Varnum
Cohen	Lindsay	Russell	Wells, D. A.
Cookinham	McAvoy	Sanders	Wells, J. L.
Costello	McCarthy	Shanley	Weston
Crapser	McDonald	Sheridan	Wren
Cullinan	McTernan	Shuit	Youngs
Cushing	Mead	Sipp	Mr. Speaker
Deane			

Those who voted in the negative, were

Alvord	Congdon	Howland	Root
Baker, B. F.	Curtis	Hurd	Seeley
Beach	Davis	Kennedy	Sherman
Bradley	Duguid	Lefever	Sisson
Bridges	Evans	Low	Skinner
Bullock	Ferris	McCabe	Slingerland
Carpenter, I. S.	Fish	Morgan	Strait
Case	Gillette	Parker	Van Valkenburgh
Childs	Griggs	Phillips	Warner
Comstock	Hoffman	Potts	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Husted moved that the time of this session be extended until 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 26, 1880. }

*To the Assembly:*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 386, entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State, and to amend title 14 of chapter 9 of part 1 of the Revised Statutes, entitled 'Of the United States Deposit Fund,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Andrews	Cushing	Kennedy	Sherman
Baker, B. F.	Davis	Lefever	Shuit
Baker, C. S.	Deane	Liddle	Sipp
Beach	Dougherty	Lindsay	Sisson

**MAY 26.]**

**1823**

Beates	Douglass	Low	Skinner
Bradley	Duell	McCabe	Slingerland
Brennan	Ellis	McDonald	Steele
Bridges	Evans	McTernan	Strait
Brodsky	Ferris	Mead	Tallmadge
Bullock	Fish	Miller	Terry
Carpenter, E. A.	Fiske	Mitchell	Thilemann
Carpenter, I. S.	Fitzgerald	Mooers	Titus
Case	Gillette	Morgan	Tozier
Oatlin	Gorsline	Newman	Travis
Chase	Gray	Nowlan	Treanor
Chickering	Griggs	O'Brien	Tuthill, H. H.
Clowes	Grosse	Pitcher	Tuttle, R. M.
Cohen	Gwinup	Rhodes	Waterbury
Comstock	Hayes	Roberts	Wells, D. A.
Congdon	Hoffman	Root	Wells, J. L.
Cookinham	Howland	Russell	Weston
Cullinan	Hurd	Shanley	Youngs
Curtis	Husted	Sheridan	

Those who voted in the negative, were

Alvord                      Havens

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 2 }

Those who voted in the affirmative, were

Andrews	Cullinan	Husted	Shanley
Baker, B. F.	Curtis	Ingersoll	Sheridan
Baker, C. S.	Cushing	Kennedy	Sherman
Beach	Davis	Liddle	Shuit
Beates	Deane	Lindsay	Sipp
Benedict, E. D.	Douglass	Low	Skinner
Bradley	Duell	McAvoy	Steele
Brennan	Duguid	McCarthy	Strait
Brodsky	Ellis	McDonald	Tallmadge
Bullock	Evans	Miller	Terpeny
Carpenter, I. S.	Ferris	Mitchell	Terry
Oatlin	Fish	Newman	Thilemann
Chamberlain	Fitzgerald	Nowlan	Titus
Chase	Gibbs	O'Connor	Tozier
Chickering	Gorsline	Parker	Treanor
Childs	Griggs	Peck	Tuthill, H. H.
Clancy	Grosse	Pitcher	Tuttle, R. M.
Clowes	Gwinup	Potts	Varnum
Cohen	Hagan	Rhodes	Warner
Comstock	Havens	Roberts	Waterbury
Congdon	Hayes	Root	Wells, J. L.
Cookinham	Hoffman	Russell	Weston
Costello	Howland	Sanders	Wren
Crapser	Hurd	Seeley	Mr. Speaker

Those who voted in the negative, were

Alvord                      Slingerland

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.



The Senate sent for concurrence the bills entitled as follows :

"An act to authorize the reading in courts and proceedings of the compilation entitled "The special and local laws affecting public interests in the city of New York, and to declare the effect thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Varnum, and by unanimous consent, said bill was substituted for Assembly bill No. 806, and by unanimous consent ordered to a third reading.

"An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Husted moved that this House take a recess until 8:30 o'clock.

Mr. Alvord moved to strike out "8:30" and insert "9."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

And at 6 o'clock and 35 minutes, the House took a recess until 8:30 P. M.

### HALF-PAST EIGHT O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names :

Andrews	Curtis	Low	Sisson
Baker, B. F.	Cushing	McCarthy	Skinner
Baker, C. S.	Davis	McDonald	Tallmadge
Beates	Deane	Morgan	Terpeny
Bennett	Douglass	Newman	Terry
Bradley	Ellis	O'Brien	Thilemann
Bridges	Evans	O'Connor	Titus
Brodsky	Fish	Parker	Tormey
Bullock	Fiske	Peck	Tozier
Carpenter, E. A.	Fitzgerald	Phillips	Travis
Carpenter, I. S.	Gibbs	Pitcher	Treanor
Case	Gillette	Potts	Tuthill, H. H.
Childs	Grosse	Rhodes	Tuttle, R. M.
Clark	Gwinup	Root	Van Valkenburgh
Clowes	Hagan	Russell	Varnum
Cohen	Howland	Sanders	Warner
Cemstock	Husted	Seeley	Wells, J. L.
Cookinham	Ingersoll	Shanley	Weston
Costello	Lefever	Sheridan	Wren
Crapser	Liddle	Shuit	Mr. Speaker
Cullinan	Lindsay	Sipp	

A quorum being present,

On motion of Mr. B. F. Baker, and by unanimous consent, the sub-committee of the whole was discharged from the further con-

sideration of Senate bill entitled "An act to amend chapter 467 of the Laws of 1870, entitled 'An act in relation to the county courts,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Deane	Low	Shanley
Baker, B. F.	Dougherty	McCabe	Sherman
Baker, C. S.	Douglass	McCarthy	Shuit
Beach	Duell	McDonald	Sipp
Beates	Ellis	McTernan	Sisson
Bradley	Fish	Mooers	Skinner
Brennan	Fiske	Morgan	Slingerland
Bridges	Fitzgerald	Newman	Tallmadge
Brodsky	Gibbs	Nowlan	Terpeny
Bullock	Gorsline	O'Brien	Terry
Carpenter, E. A.	Gray	Parker	Titus
Carpenter, I. S.	Griggs	Peck	Tormey
Case	Grosse	Phillips	Tozier
Clark	Hagan	Pitcher	Travis
Cohen	Howland	Potter	Treanor
Comstock	Hurd	Potts	Tuthill, H. H.
Cookinham	Husted	Rhodes	Tuttle, R. M.
Costello	Ingersoll	Roberts	Waterbury
Cullinan	Kennedy	Root	Wells, D. A.
Curtis	Lefever	Russell	Wells, J. L.
Cushing	Liddle	Sanders	Weston
Davis	Lindsay	Seeley	Wren

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to rates of fare upon certain railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 8 }

Those who voted in the affirmative, were

Andrews	Cushing	Husted	Sheridan
Baker, B. F.	Douglass	Ingersoll	Sherman
Baker, C. S.	Duell	Kennedy	Shuit
Beach	Duguid	Lefever	Sipp
Beates	Ellis	Liddle	Skinner
Bradley	Evans	Lindsay	Strait
Brodsky	Fish	McCarthy	Tallmadge
Carpenter, I. S.	Fiske	Mooers	Terpeny
Catlin	Fitzgerald	Morgan	Titus
Chamberlain	Gibbs	Nowlan	Tormey
Childs	Gillette	Parker	Travis

Clark	Gorsline	Peck	Treanor
Olowes	Gray	Potts	Tuthill, H. H.
Cohen	Griggs	Rhodes	Tuttle, R. M.
Comstock	Grosse	Roberts	Warner
Cookinham	Hagan	Root	Wells, J. L.
Costello	Hayes	Seeley	Weston
Cullinan	Hurd	Shanley	Wren
Curtis			

Those who voted in the negative, were

Benedict, E. D.	Bridges	Crapser	Gwinup
Benedict, T. E.	Congdon	Deane	Slingerland

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }  
{ NOES 10 }

Those who voted in the affirmative, were

Andrews	Costello	Kennedy	Shuit
Baker, B. F.	Curtis	Lefever	Sipp
Baker, C. S.	Cushing	Liddle	Skinner
Beach	Davis	Low	Strait
Beates	Deane	McCabe	Tallmadge
Bradley	Douglass	McDonald	Terry
Brodsky	Duell	Mooers	Thilemann
Bullock	Duguid	Nowlan	Titus
Carpenter, L. S.	Evans	O'Connor	Tormey
Chamberlain	Fitzgerald	Parker	Tozier
Chase	Gibbs	Pitcher	Treanor
Chickering	Gillette	Potts	Tuthill, H. H.
Clark	Gorsline	Rhodes	Tuttle, R. M.
Olowes	Gray	Russell	Van Valkenburgh
Cohen	Griggs	Sanders	Varnum
Comstock	Gwinup	Seeley	Wells, D. A.
Congdon	Husted	Shanley	Wells, J. L.
Cookinham	Ingersoll		

Those who voted in the negative, were

Alvord	Ellis	Roberts	Slingerland
Benedict, E. D.	Havens	Root	Wiley
Bridges	Newman		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to arrears of regular rents and charges for Croton water in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 5 }

Those who voted in the affirmative, were

Baker, C. S.	Dougherty	McDonald	Skinner
Benedict, E. D.	Douglass	McTernan	Steele
Bennett	Duell	Mitchell	Tallmadge
Bradley	Duguid	Mooers	Terpeny
Bridges	Ellis	Newman	Titus
Brodsky	Fish	Nowlan	Tozier
Carpenter, I. S.	Fiske	O'Connor	Travis
Case	Fitzgerald	Parker	Treanor
Chickering	Gibbs	Pitcher	Tully
Clark	Gillette	Rhodes	Tuthill, H. H.
Clowes	Gray	Root	Tuttle, R. M.
Cohen	Griggs	Russell	Van Valkenburgh
Cookinham	Grosse	Sanders	Varnum
Costello	Hayes	Seeley	Warner
Crapser	Howland	Shanley	Waterbury
Cullinan	Hurd	Sherman	Wells, D. A.
Curtis	Husted	Shuit	Wells, J. L.
Cushing	Kennedy	Sipp	Weston
Davis	Lefever	Sisson	Wren
Deane	McAvoy		

Those who voted in the negative, were

Alvord	Gwinup	McCabe	Slingerland
Benedict, T. E.			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cullinan	Kennedy	Sheridan
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Beach	Deane	Low	Skinner
Beates	Dougherty	McAvoy	Slingerland
Benedict, E. D.	Duell	McCabe	Terpeny
Benedict, T. E.	Duguid	McCarthy	Terry
Bradley	Ellis	McDonald	Thilemann
Brennan	Fish	McTernan	Titus
Bridges	Fiske	Mooers	Tormey
Brodsky	Fitzgerald	Morgan	Travis
Bullock	Gibbs	Nowlan	Treanor
Case	Gorsline	Parker	Tuttle, R. M.
Chase	Griggs	Peck	Varnum
Chickering	Grosse	Pitcher	Warner
Clanoy	Gwinup	Potts	Waterbury
Clark	Hayes	Roberts	Wells, D. A.
Clowes	Howland	Root	Wells, J. L.

Cohen  
Congdon  
Costello

Hurd  
Husted  
Ingersoll

Russell  
Seeley  
Shanley

Weston  
Wiley  
Wren

Those who voted in the negative, were

Crapser

Lefever

Sherman

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for submitting a proposed amendment to the Constitution to the electors of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, O. S.  
Beach  
Beates  
Bennett  
Bradley  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Case  
Chase  
Chickering  
Childs  
Olowes  
Congdon  
Cookinham  
Cullinan  
Ourtis  
Oushing

Davis  
Deane  
Douglass  
Duell  
Duguid  
Evans  
Fish  
Fiske  
Fitzgerald  
Gibbs  
Gillette  
Gorsline  
Gray  
Griggs  
Grosse  
Hayes  
Hurd  
Husted  
Ingersoll  
Kennedy  
Lefever

Liddle  
Lindsay  
McCabe  
McCarthy  
McDonald  
McTernan  
Mitchell  
Mooers  
Morgan  
Nowlan  
O'Brien  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders

Seeley  
Sheridan  
Shuit  
Sipp  
Sisson  
Skinner  
Steele  
Tallmadge  
Terpeny  
Thilemann  
Titus  
Tozier  
Travis  
Treanor  
Tuttle, R. M.  
Van Valkenburgh  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren

Those who voted in the negative, were

Cohen  
Costello

Havens  
Parker

Tormey

Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the rebuilding of the market known as Jefferson Market in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Davis	McCabe	Skinner
Baker, C. S.	Deane	McDonald	Slingerland
Beach	Douglass	Mooers	Steele
Beates	Duguid	Morgan	Strait
Benedict, E. D.	Ellis	Newman	Tallmadge
Bradley	Fish	Nowlan	Terpeny
Bridges	Gillette	Pitcher	Terry
Brodsky	Gorsline	Rhodes	Thilemann
Bullock	Gray	Roberts	Titus
Carpenter, I. S.	Griggs	Root	Tormey
Case	Howland	Russell	Tozier
Chase	Hurd	Sanders	Travis
Chickering	Husted	Seeley	Van Valkenburgh
Clark	Ingersoll	Shanley	Walsh
Clowes	Kennedy	Sheridan	Warner
Congdon	Lefever	Sherman	Waterbury
Crapser	Liddle	Shuit	Wells, D. A.
Cullinan	Lindsay	Sipp	Wells, J. L.
Curtis	Low	Sisson	Weston

Those who voted in the negative, were

Benedict, T. E.	Dougherty	Mitchell	Peck
Cohen	Havens	O'Connor	Treanor
Costello	McAvoy	Parker	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Liddle	Shanley
Baker, B. F.	Deane	Lindsay	Sheridan
Baker, C. S.	Douglass	Low	Sherman
Beach	Duell	McAvoy	Shuit
Beates	Duguid	McCabe	Sipp
Benedict, E. D.	Ellis	McCarthy	Sisson
Bennett	Evans	McDonald	Skinner
Bradley	Ferris	Mitchell	Slingerland
Bridges	Fish	Mooers	Tallmadge
Brodsky	Fiske	Morgan	Terpeny
Bullock	Fitzgerald	Newman	Terry
Carpenter, E. A.	Gibbs	Nowlan	Thilemann
Chamberlain	Gillette	O'Brien	Tormey
Chase	Griggs	Parker	Tozier
Chickering	Grosse	Peck	Travis
Clark	Hayes	Pitcher	Treanor
Clowes	Howland	Potts	Van Valkenburgh

Cohen  
Cookinham  
Costello  
Crapser  
Curtis  
Cushing

Hurd  
Husted  
Ingersoll  
Kennedy  
Lefever

Rhodes  
Roberts  
Root  
Russell  
Seeley

Varnum  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer to be used for the payment of taxes against said town,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 4 }

Those who voted in the affirmative, were

Baker, B. F.	Deane	McCarthy	Sisson
Baker, C. S.	Dougherty	McDonald	Skinner
Beach	Douglass	Miller	Slingerland
Beates	Duguid	Mooers	Steele
Benedict, E. D.	Ellis	Morgan	Terpeny
Benedict, T. E.	Fish	Nowlan	Terry
Bridges	Fitzgerald	O'Brien	Thilemann
Bullock	Gibbs	O'Connor	Titus
Carpenter, E. A.	Gorsline	Parker	Tormey
Carpenter, I. S.	Gray	Peck	Tozier
Case	Griggs	Pitcher	Travis
Chamberlain	Grosse	Potts	Van Valkenburgh
Chase	Gwinup	Roberts	Varnum
Chickering	Havens	Root	Waterbury
Clark	Lefever	Russell	Wells, D. A.
Clowes	Liddle	Seeley	Wells, J. L.
Cohen	Lindsay	Sheridan	Weston
Crapser	Low	Sherman	Wiley
Cullinan	McAvoy	Shuit	Wren
Curtis	McCabe	Sipp	

Those who voted in the negative, were

Alvord	Bradley	Cushing	Newman
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 68 }  
 { NOES 16 }

Those who voted in the affirmative, were

Baker, B. F.	Cookinham	Hagan	Rhodes
Baker, C. S.	Costello	Hayes	Root
Beach	Crapser	Hurd	Seeley
Beates	Cullinan	Ingersoll	Shanley
Benedict, E. D.	Cushing	Lindsay	Sheridan
Benedict, T. E.	Davis	McAvoy	Shuit
Bridges	Deane	McCarthy	Sisson
Brodsky	Dougherty	McDonald	Steele
Bullock	Douglass	Miller	Terpeny
Carpeñter, E. A.	Duguid	Mooers	Terry
Case	Fish	Morgan	Thilemann
Chamberlain	Fiske	Nowlan	Tormey
Chase	Fitzgerald	O'Irien	Travis
Chickering	Gorsline	Parker	Treanor
Childs	Gray	Peck	Tully
Clancy	Grosse	Phillips	Van Valkenburgh
Cohen	Gwinup	Potts	Walsh

Those who voted in the negative, were

Alvord	Husted	Tallmadge	Waterbury
Bradley	Low	Titus	Wells, D. A.
Duell	Pitcher	Varnum	Weston
Gillette	Roberts	Warner	Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of the public health in the city of New York," being announced for a third reading,

Mr. Varnum moved to amend said bill as follows:

In line 2, section 1, after the word "authorized" strike out the words "and directed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
 { NOES 18 }

Those who voted in the affirmative, were

Alvord	Davis	McDonald	Sisson
Andrews	Dougherty	McTernan	Steele
Baker, B. F.	Ellis	Mead	Tallmadge
Baker, C. S.	Fitzgerald	Miller	Terpeny
Beach	Gibbs	Mooers	Terry
Beates	Gorsline	Newman	Thilemann
Benedict, E. D.	Gray	Nowlan	Titus
Bennett	Grosse	O'Brien	Tormey
Bridges	Gwinup	O'Connor	Tozier
Brodsky	Hagan	Parker	Treanor
Case	Havens	Peck	Tully
Chamberlain	Hurd	Phillips	Van Valkenburgh
Chase	Husted	Potts	Walsh

Childs	Kennedy	Rhodes	Warner
Clowes	Liddle	Roberts	Waterbury
Cohen	Lindsay	Root	Wells, J. L.
Costello	McAvoy	Shanley	Weston
Cullinan	McCabe	Shuit	Wiley
Cushing	McCarthy	Sipp	

Those who voted in the negative, were

Benedict, T. E.	Deane	Hayes	Slingerland
Bullock	Douglass	Low	Travis
Carpenter, E. A.	Duguid	Sherman	Tuttle, R. M.
Chickering	Fish	Skinner	Wells, D. A.
Curtis	Fiske		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," with a message that they have passed the same with amendments.

Mr. Cohen moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Shanley moved to recommit said bill to the New York delegation with power to report complete at any time.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 29 }  
{ NOES 80 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McCarthy	Shanley
Benedict, T. E.	Ellis	McDonald	Sheridan
Bennett	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Newman	Tormey
Clancy	Hagan	O'Connor	Treanor
Cohen	Havens	Parker	Walsh
Costello	McAvoy	Rhodes	Wiley
Cushing			

Those who voted in the negative, were

Alvord	Cookinham	Husted	Shuit
Andrews	Crapser	Lefever	Sipp
Baker, B. F.	Cullinan	Liddle	Sisson
Baker, C. S.	Curtis	Lindsay	Skinner
Beach	Deane	Low	Slingerland
Beates	Douglass	McCabe	Steele
Bradley	Duell	Miller	Tallmadge
Bridges	Duguid	Mitchell	Terry
Brodsky	Evans	Mooers	Titus
Bullock	Ferris	Morgan	Tozier
Carpenter, E. A.	Fish	Nowlan	Travis
Carpenter, I. S.	Fiske	Peck	Tuthill, H. H.
Case	Gillette	Phillips	Tuttle, R. M.
Chamberlain	Gorsline	Pitcher	Van Valkenburgh

**MAY 26.]**

**1883**

Chase	Griggs	Potts	Varnum
Chickering	Grosse	Roberts	Waterbury
Childs	Gwinup	Root	Wells, D. A.
Clark	Hayes	Russell	Wells, J. L.
Clowes	Howland	Seeley	Weston
Congdon	Hurd	Sherman	Wren

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Cohen, and it was determined in the negative.

{ AYES 23 }  
{ NOES 81 }

Those who voted in the affirmative, were

Benedict, E. D.	Dougherty	McTernan	Thilemann
Catlin	Fitzgerald	Mead	Tormey
Clancy	Gibbs	Newman	Treanor
Cohen	McAvoy	O'Connor	Walsh
Costello	McCarthy	Rhodes	Wiley
Cushing	McDonald	Sheridan	

Those who voted in the negative, were

Alvord	Cullinan	Howland	Seeley
Andrews	Curtis	Hurd	Sherman
Baker, B. F.	Davis	Husted	Shuit
Baker, C. S.	Deane	Kennedy	Sipp
Beach	Douglass	Lefever	Sisson
Beates	Duell	Liddle	Skinner
Benedict, T. E.	Duguid	Lindsay	Slingerland
Bradley	Ellis	Low	Steele
Bridges	Evans	McCabe	Terry
Brodsky	Ferris	Miller	Travis
Bullock	Fish	Mitchell	Tuthill, H. H.
Carpenter, E. A.	Fiske	Mooers	Tuttle, R. M.
Carpenter, I. S.	Gillette	Morgan	Van Valkenburgh
Chase	Gorsline	Nowlan	Varnum
Chase	Griggs	Parker	Warner
Chickering	Grosse	Peck	Waterbury
Childs	Gwinup	Phillips	Wells, D. A.
Clowes	Hagan	Roberts	Wells, J. L.
Congdon	Havens	Root	Weston
Cookinham	Hayes	Russell	Wren
Crapser			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 73 }  
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Cookinham	Husted	Seeley
Andrews	Crapser	Ingersoll	Sherman
Baker, B. F.	Cullinan	Kennedy	Sipp
Baker, C. S.	Curtis	Lefever	Sisson
Beach	Davis	Lindsay	Skinner
Beates	Deane	Low	Steele
Bradley	Douglass	McCabe	Terry
Bridges	Duell	Miller	Titus
Brodsky	Duguid	Mitchell	Tozier
Bullock	Ferris	Mooers	Travis
Carpenter, E. A.	Fish	Morgan	Tuttle, R. M.

Case	Fiske	Nowlan	Varnum
Chamberlain	Gillette	Peck	Waterbury
Chase	Gorsline	Phillips	Wells, D. A.
Chickering	Griggs	Pitcher	Wells, J. L.
Childs	Hayes	Potts	Weston
Clark	Howland	Root	Wren
Clowes	Hurd	Russell	Mr. Speaker
Congdon			

Those who voted in the negative, were

Benedict, T. E.	Dougherty	McDonald	Sheridan
Bennett	Fitzgerald	McTernan	Thilemann
Catlin	Gibbs	Mead	Tormey
Olanoy	Hagan	Newman	Treanor
Cohen	Havens	O'Connor	Walsh
Costello	McAvoy	Parker	Wiley
Cushing	McCarthy	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Crapser	Howland	Sheridan
Baker, C. S.	Cullinan	Kennedy	Sherman
Beach	Curtis	Liddle	Shuit
Beates	Cushing	Lindsay	Sipp
Benedict, E. D.	Davis	Low	Sisson
Benedict, T. E.	Deane	McAvoy	Skinner
Bennett	Dougherty	McDonald	Steele
Bradley	Douglass	McTernan	Thilemann
Brodsky	Duell	Miller	Treanor
Bullock	Ellis	Parker	Tuthill, H. H.
Carpenter, I. S.	Ferris	Phillips	Walsh
Case	Fish	Pitcher	Waterbury
Chamberlain	Gillette	Rhodes	Wells, D. A.
Childs	Gorsline	Roberts	Weston
Cohen	Griggs	Russell	Wiley
Congdon	Havens	Seeley	Wren
Cookinham	Hayes	Shanley	

Those who voted in the negative, were

Catlin	Mooers	Tormey	Tuttle, R. M.
Evans	Potts	Travis	Van Valkenburgh
Mitchell	Terry		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act relating to fees, percentages and allowances of public officers a burden upon a charge against the various cities of this State," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert as follows :

Section 1. The commissioners of the sinking fund of the city of New York, for the redemption of the city debt when duly authorized by ordinance of the common council may, by concurrent resolution, direct that the bonds and stocks of said city hereafter issued pursuant to law, shall be exempt from taxation by said city and by the county of New York, but not from taxation for State purposes; and all bonds and stocks issued pursuant to such authority, shall be exempt from taxation accordingly; provided, that said bonds and stocks shall not bear interest exceeding the rate of four and one-half per centum per annum.

§ 2. The bonds and stocks of the city of New York issued pursuant to the provisions of this statute shall express upon their face the fact that they are exempt from taxation by the city and county of New York, but not from State taxation, and shall refer to this act and to the ordinance of the common council, and the resolution of the commissioners of the sinking fund authorizing their issue.

§ 3. This act shall take effect immediately.

Amend the title so as to read as follows :

“An act to authorize the issue of certain bonds and stocks of the city of New York exempt from taxation.”

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 69 }  
{ NOES 12 }

Those who voted in the affirmative, were

Baker, B. F.	Curtis	Kennedy	Russell
Baker, O. S.	Cushing	Lefever	Seeley
Beach	Davis	Liddle	Shanley
Beates	Deane	Lindsay	Shuit
Benedict, E. D.	Dougherty	Low	Sisson
Benedict, T. E.	Duell	McAvoy	Skinner
Bradley	Ellis	McCarthy	Steele
Bridges	Evans	McDonald	Thilemann
Brodsky	Ferris	McTernan	Tozier
Bullock	Fish	Mitchell	Travis
Carpenter, E. A.	Fiske	Morgan	Treanor
Catlin	Fitzgerald	Parker	Van Valkenburgh
Chase	Griggs	Phillips	Varnum
Olanoy	Gwinup	Pitcher	Waterbury
Clark	Hagan	Potts	Wells, J. L.
Clowes	Havens	Roberts	Wiley
Crapser	Hayes	Root	Wren
Cullinan			

Those who voted in the negative, were

Alvord	Congdon	Gillette	McCabe
Carpenter, I. S.	Cookinham	Grosse	Miller
Cohen	Douglass	Howland	Nowlan

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled “An act to provide for the taxation of life insurance companies,” with a message that the vote on the final passage of said bill had been reconsidered, amendments of the Assembly concurred in, and said bill passed with the following additional amendments:

Section 1, line 10, engrossed bill, strike out all after the word "company" and insert as follows: "during the year ending the preceding thirty-first day of December from persons residing in this State, or investments represented by or based upon property situated in this State."

Section 2, in line 5, strike out all after the word "premiums" and insert as follows: "interest and other income, exclusive of rents received by such company during the year ending the preceding thirty-first day of December, from persons residing in this State or investments represented by or based upon property situated in this State."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Clark	Grosse	Seeley
Andrews	Clowes	Gwinup	Shanley
Baker, B. F.	Cohen	Hagan	Sherman
Baker, O. S.	Cookinham	Havens	Shuit
Beach	Cullinan	Hayes	Sipp
Beates	Curtis	Howland	Sisson
Benedict, E. D.	Davis	Hurd	Skinner
Benedict, T. E.	Deane	Liddle	Slingerland
Bennett	Douglass	Lindsay	Terry
Bradley	Duell	McCabe	Thilemann
Bridges	Duguid	Miller	Tozier
Brodsky	Ellis	Mitchell	Treanor
Bullock	Evans	Mooers	Tuthill, H. H.
Carpenter, E. A.	Ferris	Morgan	Van Valkenburgh
Carpenter, I. S.	Fish	Nowlan	Walsh
Case	Fiske	Peck	Waterbury
Chamberlain	Fitzgerald	Phillips	Wells, D. A.
Chase	Gibbs	Potts	Wells, J. L.
Chickering	Gillette	Roberts	Wiley
Childs	Gorsline	Root	Wren
Clancy	Griggs	Russell	

Those who voted in the negative, were

Oatlin                      Varnum

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Alvord in the Chair.

Mr. O. S. Baker moved a call of the House.

The Speaker directed the Sergeant-at-Arms to clear the chamber of all persons not members, officers and reporters, and to see that the doors are properly guarded, and to allow no one to leave or enter the Chamber.

Mr. Speaker then directed the Clerk to call the roll of members and the following members answered to their names:

Alvord	Cookinham	Lefever	Shanley
Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Baker, O. S.	Davis	McAvoy	Shuit

Beach	Deane	McCabe	Sipp
Beates	Dougherty	McCarthy	Sisson
Benedict, E. D.	Douglass	McDonald	Skinner
Benedict, T. E.	Duell	Miller	Steele
Bennett	Ellis	Mitchell	Terry
Bradley	Evans	Mooers	Thilemann
Bridges	Ferris	Morgan	Tormey
Brodsky	Fish	Newman	Tozier
Bullock	Fiske	Nowlan	Travis
Carpenter, E. A.	Fitzgerald	O'Connor	Treanor
Carpenter, I. S.	Gibbs	Parker	Tuthill, H. H.
Case	Gillette	Peck	Van Valkenburgh
Catlin	Gorsline	Phillips	Varnum
Chamberlain	Grosse	Pitcher	Walsh
Chase	Gwinup	Potts	Waterbury
Chickering	Hagan	Rhodes	Wells, D. A.
Childs	Havens	Roberts	Wells, J. L.
Clancy	Hayes	Root	Wiley
Clark	Howland	Russell	Wren
Cohen	Hurd	Seeley	Mr. Speaker
Congdon	Kennedy		

Mr. Newman moved that the Speaker issue his warrant to the Sergeant-at-Arms, and he be directed to bring the members who are absent before the bar of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sharpe moved that the members who are absent shall be brought before the bar of the House in the custody of the Sergeant-at-Arms, and they should state why they should not be declared in contempt, and that the call be suspended and the House proceed to the regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received in the words following:

IN SENATE, *May 26*, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Section 1, line 17, strike out after the word "powers" the balance of the section and insert the following: "after the expiration of the terms of service of the justices of the peace now in office, the fees of the justice for the trial of an issue of fact where the defendant shall appear and answer shall be the sum of two dollars."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Liddle	Shanley
Andrews	Davis	Lindsay	Sheridan
Baker, B. F.	Deane	McAvoy	Sherman
Baker, C. S.	Douglass	McCabe	Shuit
Beates	Ellis	McCarthy	Sipp
Benedict, E. D.	Evans	McDonald	Sisson
Benedict, T. E.	Ferris	Miller	Skinner
Bradley	Fish	Mitchell	Steele
Bridges	Fiske	Mooers	Terry
Brodsky	Fitzgerald	Morgan	Thilemann
Bullock	Gibbs	Newman	Tormey
Carpenter, I. S.	Gillette	Nowlan	Tozier
Case	Gorsline	O'Connor	Travis
Catlin	Grosse	Phillips	Tuthill, H. H.
Chickering	Gwinup	Pitcher	Van Valkenburgh
Childs	Hagan	Potts	Walsh
Clancy	Havens	Rhodes	Waterbury
Clark	Hayes	Roberts	Wells, D. A.
Cohen	Howland	Root	Wells, J. L.
Cookinham	Hurd	Russell	Wiley
Cullinan	Kennedy	Seeley	Wren

Those who voted in the negative, were

Peck

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Seeley
Andrews	Davis	Lindsay	Shanley
Baker, B. F.	Deane	McAvoy	Sherman
Baker, C. S.	Douglass	McCabe	Shuit
Beach	Ellis	McTernan	Sisson
Beates	Evans	Miller	Skinner
Benedict, E. D.	Ferris	Mitchell	Steele
Bradley	Fish	Mooers	Terry
Bridges	Fiske	Morgan	Thilemann
Brodsky	Fitzgerald	Newman	Tozier
Bullock	Gibbs	Nowlan	Travis
Carpenter, E. A.	Gillette	Phillips	Treanor
Carpenter, I. S.	Gorsline	Pitcher	Tully
Case	Grosse	Potts	Varnum
Catlin	Hagan	Rhodes	Warner
Chase	Hayes	Roberts	Wells, D. A.
Childs	Howland	Root	Wells, J. L.
Clowes	Kennedy	Russell	Wren
Cullinan	Lefever	Sanders	Youngs
Curtis			

Those who voted in the negative, were

Cookinham	Crapser	Havens	Parker
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Sergeant-at-Arms appeared before the bar of the House having in charge Mr. McTernan.

After rendering his excuse,

Mr. Steele moved that he be purged of his contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Crapser.

After rendering his excuse,

Mr. C. S. Baker moved that he be fined \$50.

Mr. Varnum moved that he be fined \$25.

Mr. Morgan moved that he be excused.

Mr. Speaker put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Morgan, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Cushing.

After rendering his excuse,

Mr. Steele moved that he be purged of his contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Griggs.

After rendering his excuse,

Mr. Peck moved that he be excused.

Mr. C. S. Baker moved that he be fined \$100.

Mr. Speaker put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Peck, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Youngs.

After rendering his excuse,

On motion of Mr. Varnum he was excused.

The Sergeant-at-Arms appeared having in custody Mr. Clowes.

After rendering his excuse,

On motion of Mr. C. S. Baker he was excused.

The Sergeant-at-Arms appeared before the bar of the House having in custody Messrs. Tallmadge, Duguid, Tuttle, Low and Terpeny.

After rendering their excuses,

They were excused.

Mr. Varnum moved to lay the present order of business upon the table for the purpose of going into committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message was received from the Senate in words following:

IN SENATE, *May 24, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and a police

constable in said village and defining their jurisdiction, power and duties.' "

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows:

Strike out sections 1 and 2 of said bill. Make section 3 section 1 and amend the same as follows:

Line 1, strike out said act and insert chapter 176 of the Laws of 1872, entitled "An act in relation to the village of Canandaigua, and to provide a police justice and police constable in said village, and defining their jurisdiction, power and duties," is hereby amended so as to read as follows:

Line 15, after word "officer" insert "hereafter elected."

Change section 4 to section 2.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Shuit
Andrews	Curtis	Liddle	Sipp
Baker, B. F.	Davis	Lindsay	Sisson
Baker, C. S.	Deane	McAvoy	Skinner
Beach	Douglass	Miller	Steele
Beates	Duell	Mitchell	Strait
Benedict, T. E.	Ellis	Mooers	Tallmadge
Bradley	Evans	Morgan	Terpeny
Bridges	Fiske	Nowlan	Terry
Brodsky	Fitzgerald	Phillips	Tormey
Bullock	Gillette	Pitcher	Tozier
Carpenter, I. S.	Gorsline	Potts	Travis
Case	Griggs	Rhodes	Tuthill, H. H.
Catlin	Gwinup	Roberts	Tuttle, R. M.
Chamberlain	Hagan	Root	Varnum
Chase	Havens	Russell	Waterbury
Clancy	Hayes	Seeley	Wells, D. A.
Clark	Howland	Shanley	Wells, J. L.
Clowes	Hurd	Sheridan	Wiley
Congdon	Kennedy	Sherman	Youngs
Cookinham			

Those who voted in the negative, were

Cohen	Cushing	Grosse	Peck
Crapser			

Mr. Case moved to concur in the amendments of the Senate with the further following amendment:

Section 1, engrossed bill, line 28, strike out all after the word "person" and insert the following:

"Any officer hereafter elected or person serving notice to dealers in intoxicating liquors within the corporate limits of said village, prohibiting the selling or giving away of the same, in accordance

with the provisions of section 19 of an act entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors,' passed April 16, 1857, shall be entitled to receive for serving each notice so served by him, 6 cents only and no allowance for mileage ; which fee shall be a legal and proper charge against the town of Canandaigua, payable as other town charges are paid."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Crapser	Havens	Seeley
Baker, B. F.	Cullinan	Howland	Sheridan
Baker, C. S.	Curtis	Hurd	Sherman
Beates	Cushing	Kennedy	Shuit
Benedict, E. D.	Davis	Lefever	Sipp
Benedict, T. E.	Deane	Liddle	Sissor.
Bradley	Douglass	Lindsay	Skinner
Bridges	Duell	McAvoy	Steele
Bullock	Ellis	McCabe	Terry
Carpenter, E. A.	Evans	Miller	Tormey
Carpenter, I. S.	Ferris	Mitchell	Tozier
Case	Fish	Mooers	Treanor
Catlin	Fiske	Morgan	Futhill, H. H.
Chamberlain	Fitzgerald	O'Connor	Tuttle, R. M.
Chase	Gibbs	Phillips	Van Valkenburgh
Chickering	Gillette	Potts	Waterbury
Childs	Gorsline	Rhodes	Wells, D. A.
Clark	Griggs	Roberts	Wells, J. L.
Clowes	Grosse	Root	Wiley
Congdon	Hagan	Russell	Youngs
Cookinham			

Those who voted in the negative, were

Beach                  Cohen                  Peck

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. McCarthy offered for the consideration of the House a resolution in the words following :

*Resolved*, That all orders down to general orders be laid upon the table for the purpose of going in committee of the whole upon Assembly bill No. 511, general orders 586, entitled "An act in relation to the employment of convicts confined in the State prisons of this State."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 42 }  
{ NOES 58 }

Those who voted in the affirmative, were

Benedict, E. D.	Gibbs	McDonald	Tallmadge
Bradley	Grosse	McTernan	Tormey

Oatlin	Gwinup	O'Connor	Travis
Chamberlain	Hagan	Parker	Treanor
Clancy	Havens	Peck	Walsh
Clark	Hayes	Phillips	Waterbury
Cohen	Kennedy	Rhodes	Wells, J. L.
Cushing	Liddle	Russell	Wiley
Dougherty	Lindsay	Shanley	Wren
Duell	McAvoy	Sheridan	Youngs
Fitzgerald	McCarthy		

Those who voted in the negative, were

Alvord	Congdon	Griggs	Seeley
Andrews	Cookinham	Howland	Sherman
Baker, B. F.	Crapser	Hurd	Shuit
Baker, C. S.	Curtis	Lefever	Sipp
Beach	Davis	Low	Sisson
Beates	Deane	McCabe	Skinner
Benedict, T. E.	Douglass	Miller	Steele
Bridges	Duguid	Mitchell	Terry
Bullock	Ellis	Mooers	Tozier
Carpenter, I. S.	Evans	Nowlan	Tuthill, H. H.
Case	Ferris	Pitcher	Tuttle, R. M.
Chase	Fish	Potts	Van Valkenburgh
Chickering	Fiske	Roberts	Varnum
Childs	Gillette	Root	Wells, D. A.
Clowes	Gorsline		

The Senate returned Assembly bill entitled "An act to compel the maintenance of certain lights on draw bridges across the Hudson river," with a message that they have concurred in the same.

Senate bill entitled "An act to amend chapter 613 of the Laws of 1857, entitled 'An act to amend an act entitled 'An act to incorporate the village of Kinderhook in the county of Columbia,' passed April 8, 1838," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Congdon	Howland	Shanley
Andrews	Cookinham	Kennedy	Sheridan
Baker, B. F.	Crapser	Lefever	Sherman
Baker, C. S.	Cullinan	Liddle	Shuit
Beach	Curtis	Lindsay	Sipp
Beates	Davis	Low	Sisson
Bennett	Deane	McAvoy	Skinner
Bradley	Douglass	McCabe	Steele
Bridges	Duell	McCarthy	Tallmadge
Brodsky	Duguid	Miller	Terry
Bullock	Evans	Mitchell	Tormey
Carpenter, E. A.	Ferris	Mooers	Tozier
Carpenter, I. S.	Fish	Morgan	Treanor
Case	Fitzgerald	Nowlan	Tuthill, H. H.
Oatlin	Gibbs	Pitcher	Tuttle, R. M.
Chamberlain	Gillette	Potts	Waterbury
Chase	Gorsline	Rhodes	Wells, D. A.
Chickering	Griggs	Roberts	Wells, J. L.

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Clark  
Clowes  
Cohen

Grosse  
Gwinup  
Hayes

Root  
Russell  
Seeley

Wren  
Youngs

Those who voted in the negative, were  
Peck

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Senate in words following:

IN SENATE, *May 25*, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to revise and amend title 11 of chapter 291, Laws of 1876, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Section 1, line 19, strike out the word "exempting" and insert "excepting."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Bradley  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chamberlain  
Chase  
Chickering  
Clark  
Clowes  
Cohen  
Congdon  
Cookinham  
Cullinan  
Curtis

Davis  
Deane  
Dougherty  
Douglass  
Duell  
Duguid  
Ellis  
Evans  
Ferris  
Fish  
Fiske  
Fitzgerald  
Gillette  
Gorsline  
Griggs  
Grosse  
Gwinup  
Hayes  
Howland  
Kennedy  
Lefever  
Liddle  
Lindsay

Low  
McAvoy  
McCabe  
McCarthy  
McDonald  
McTernan  
Mead  
Miller  
Mitchell  
Mooers  
Morgan  
Newman  
Nowlan  
Peck  
Pitcher  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders  
Seeley  
Shanley

Sheridan  
Sherman  
Shuit  
Sipp  
Sisson  
Skinner  
Steele  
Tallmadge  
Terpeny  
Terry  
Thilemann  
Tormey  
Tozier  
Travis  
Treanor  
Tuthill, H. H.  
Tuttle, R. M.  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Wiley  
Wren  
Youngs

Those who voted in the negative, were  
Walsh

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	Liddle	Seeley
Andrews	Davis	Lindsay	Shanley
Baker, B. F.	Deane	Low	Sherman
Baker, C. S.	Douglass	McAvoy	Shuit
Beach	Duell	McCabe	Sipp
Beates	Duguid	McCarthy	Sisson
Bradley	Ellis	McDonald	Skinner
Bridges	Evans	Mead	Steele
Bullock	Ferris	Miller	Tallmadge
Carpenter, E. A.	Fish	Mitchell	Terpeny
Carpenter, I. S.	Fiske	Mooers	Terry
Case	Gillette	Morgan	Tozier
Catlin	Gorsline	Nowlan	Travis
Chase	Grosse	Potts	Tuthill, H. H.
Chickering	Gwinup	Rhodes	Tuttle, R. M.
Congdon	Hayes	Roberts	Waterbury
Cookinham	Howland	Root	Wells, D. A.
Crapser	Hurd	Russell	Wells, J. L.
Cullinan	Lefever	Sanders	Wren
Curtis			

Those who voted in the negative, were

Peck                      Walsh                      Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following:

IN SENATE, *May 25, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Rockwell, and by unanimous consent, the same was amended as follows:

Section 1, line 4, after the words "Lake George" insert "belonging to the State;" same section, line 5, after the word "building" insert "thereon."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Davis	Low	Shuit
Andrews	Deane	McAvoy	Sipp



Baker, B. F.	Dougherty	McCabe	Sisson
Baker, C. S.	Douglass	McDonald	Skinner
Beach	Duguid	Miller	Steele
Beates	Evans	Mitchell	Tallmadge
Bradley	Ferris	Mooers	Terpeny
Bridges	Fish	Newman	Terry
Brodsky	Fiske	Nowlan	Thilemann
Bullock	Fitzgerald	Pitcher	Tozier
Carpenter, E. A.	Gibbs	Potts	Travis
Oase	Gillette	Roberts	Tuthill, H. H.
Chamberlain	Gorsline	Root	Tuttle, R. M.
Chase	Gwinup	Russell	Van Valkenburgh
Chickering	Hayes	Sanders	Varnum
Childs	Hurd	Seeley	Waterbury
Clark	Kennedy	Shanley	Wells, D. A.
Cookinham	Lefever	Sheridan	Wells, J. L.
Curtis	Liddle	Sherman	Youngs
Cushing	Lindsay		

Those who voted in the negative, were

Benedict, E. D.	Crapser	McTernan	Peck
Benedict, T. E.	Grosse	O'Connor	Tormey
Bennett	Havens	Parker	Walsh
Cohen			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Curtis	McDonald	Sisson
Andrews	Cushing	Miller	Skinner
Baker, B. F.	Davis	Mitchell	Steele
Baker, C. S.	Douglass	Mooers	Tallmadge
Beach	Duguid	Morgan	Terpeny
Beates	Evans	Newman	Terry
Benedict, E. D.	Ferris	Nowlan	Thilemann
Bradley	Fish	Phillips	Tozier
Bridges	Fiske	Pitcher	Travis
Brodsky	Gillette	Potts	Tuthill, H. H.
Bullock	Grosse	Rhodes	Tuttle, R. M.
Carpenter, E. A.	Gwinup	Roberts	Van Valkenburgh
Oase	Hayes	Root	Varnum
Catlin	Hurd	Russell	Warner
Chase	Kennedy	Seeley	Waterbury
Chickering	Liddle	Shanley	Wells, D. A.
Clark	Lindsay	Sherman	Wells, J. L.
Congdon	Low	Shuit	Wren
Cookinham	McCabe	Sipp	Youngs

Those who voted in the negative, were

Benedict, T. E.	Crapser	O'Connor	Tormey
Bennett	Griggs	Parker	Treanor
Chamberlain	McTernan	Peck	Walsh
Cohen			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following :

IN SENATE, *May 25, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structures in the cities of the State of New York."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Fowler, and by unanimous consent, the same was amended as follows:

Section 1, line 44, after the word "judgment" strike out the balance of the section.

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Curtis	Lindsay	Sipp
Andrews	Davis	Low	Sisson
Baker, B. F.	Dougherty	McCabe	Skinner
Baker, C. S.	Douglass	McCarthy	Steele
Beach	Duguid	McDonald	Tallmadge
Beates	Ellis	Miller	Terpeny
Benedict, E. D.	Evans	Mooers	Terry
Benedict, T. E.	Ferris	Newman	Thilemann
Bennett	Fish	Nowlan	Tozier
Bridges	Fiske	O'Connor	Travis
Brodsky	Fitzgerald	Phillips	Treanor
Carpenter, E. A.	Gibbs	Pitcher	Tuttle, R. M.
Case	Gillette	Rhodes	Van Valkenburgh
Chamberlain	Grosse	Roberts	Varnum
Chase	Gwinup	Russell	Waterbury
Clark	Hayes	Seeley	Wells, D. A.
Cohen	Hurd	Shanley	Wells, J. L.
Cookinham	Kennedy	Sheridan	Wren
Crapser	Lefever	Sherman	Youngs
Oullinan	Liddle	Shuit	

Those who voted in the negative, were

Chickering	Peck	Tormey	Walsh
Mitchell			

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Douglass	McCabe	Sisson
Andrews	Duguid	McCarthy	Skinner
Baker, B. F.	Ellis	McDonald	Steele

Baker, O. S.	Evans	Miller	Tallmadge
Beach	Ferris	Mooers	Terpeny
Beates	Fish	Morgan	Terry
Benedict, T. E.	Fiske	Newman	Thilemann
Bennett	Fitzgerald	Nowlan	Tormey
Bradley	Gibbs	Parker	Tozier
Brodsky	Gillette	Phillips	Travis
Bullock	Gorsline	Pitcher	Treanor
Chase	Griggs	Potts	Tuthill, H. H.
Chickering	Grosse	Rhodes	Tuttle, R. M.
Clancy	Havens	Roberts	Van Valkenburgh
Clark	Hayes	Sanders	Varnum
Clowes	Howland	Seeley	Waterbury
Cookinham	Hurd	Shanley	Wells, D. A.
Crapser	Kennedy	Sheridan	Wells, J. L.
Curtis	Lefever	Sherman	Weston
Davis	Liddle	Shuit	Wren
Deane	Low	Sipp	Youngs
Dougherty			

Those who voted in the negative, were  
Walsh

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Sergeant-at-Arms appeared before the bar of the House having in custody Messrs. Titus, Weston and Meade.

After having made their excuses,

On motion of Mr. C. S. Baker they were excused.

A message was received from the Senate in words following :

IN SENATE, *May 25, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to enforce the assessments of shareholders in banking associations to make good a deficit in capital."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Wendover, and by unanimous consent, the same was amended as follows:

Section 2, line 3, strike out "sixty days" and insert "six months."  
Same section, line 6, strike out "two" and insert "four."

And as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Curtis	McCarthy	Steele
Andrews	Davis	Miller	Tallmadge
Baker, B. F.	Deane	Mitchell	Terpeny
Baker, C. S.	Douglass	Mooers	Terry
Beach	Duguid	Morgan	Thilemann
Beates	Evans	Newman	Titus
Benedict, E. D.	Ferris	Nowlan	Tormey
Bradley	Fish	Potts	Tozier
Bridges	Fiske	Rhodes	Travis

Brodsky	Fitzgerald	Roberts	Treanor
Bullock	Gillette	Root	Tuthill, H. H.
Case	Gorsline	Russell	Tuttle, R. M.
Catlin	Havens	Sanders	Van Valkenburgh
Chamberlain	Howland	Seeley	Varnum
Chase	Hurd	Shanley	Waterbury
Chickering	Kennedy	Sheridan	Wells, D. A.
Clowes	Lefever	Sherman	Wells, J. L.
Congdon	Liddle	Shuit	Weston
Cookinham	Lindsay	Sipp	Wren
Crapser	Low	Sisson	Youngs
Cullinan	McCabe	Skinner	

Those who voted in the negative, were

Benedict, T. E.	McTernan	Parker	Walsh
Gwinup	O'Connor	Pitcher	

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dougherty	McCabe	Sisson
Andrews	Douglass	McDonald	Skinner
Baker, B. F.	Duguid	McTernan	Steele
Baker, C. S.	Ellis	Mead	Tallmadge
Beach	Evans	Miller	Terpeny
Beates	Ferris	Mitchell	Terry
Bridges	Fish	Mooers	Thilemann
Brodsky	Fiske	Newman	Titus
Bullock	Gillette	Nowlan	Tozier
Case	Gorsline	Phillips	Travis
Catlin	Grosse	Pitcher	Treanor
Chamberlain	Gwinup	Potts	Tuthill, H. H.
Chickering	Hayes	Rhodes	Van Valkenburgh
Clark	Howland	Root	Varnum
Clowes	Hurd	Russell	Waterbury
Cookinham	Kennedy	Sanders	Wells, D. A.
Crapser	Lefever	Seeley	Wells, J. L.
Cullinan	Liddle	Sheridan	Weston
Curtis	Lindsay	Sherman	Wren
Davis	Low	Shuit	Youngs
Deane	McAvoy	Sipp	

Those who voted in the negative, were

Tormey	Walsh
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*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' and to further extend the time within which said company may commence operations," with a message that they have concurred in the passage of the same with the following amendments:

Insert the following as section 4:

Section 4. It shall not be lawful for the company formed under this

act or under either or any of the acts amended hereby, to so use or withhold the water stored within the dam or dams or canals so to be hereafter erected or constructed hereunder, in such manner as to in any way or at any time or season to interfere with any of the rights of the Cohoes Company to which they are entitled by law; and the water used by said Crescent Company through their canals or by any one using under their grant, shall be returned into the Mohawk river above the dam of the Cohoes Company.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cushing	McTernan	Steele
Andrews	Deane	Mead	Tallmadge
Baker, B. F.	Dougherty	Miller	Terpeny
Baker, C. S.	Douglass	Mitchell	Terry
Beach	Duguid	Mooers	Thilemann
Beates	Evans	Morgan	Titus
Bradley	Ferris	Nowlan	Tozier
Bridges	Fish	Phillips	Travis
Brodsky	Fiske	Pitcher	Treanor
Bullock	Gillette	Potts	Tuttle, R. M.
Carpenter, E. A.	Gorsline	Rhodes	Van Valkenburgh
Case	Hayes	Root	Varnum
Chamberlain	Howland	Russell	Warner
Chickering	Hurd	Sanders	Waterbury
Clark	Kennedy	Seeley	Wells, D. A.
Olowes	Lefever	Sheridan	Wells, J. L.
Congdon	Liddle	Sherman	Weston
Cookinham	Lindsay	Shuit	Wiley
Crapser	Low	Sipp	Wren
Cullinan	McCabe	Sisson	Youngs
Curtis	McDonald	Skinner	

Those who voted in the negative, were

Ellis	Griggs	O'Connor
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the following bills:

"An act to empower the board of trustees of the village of West Troy to construct a sewer in Utica street in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize and direct the board of supervisors of Kings county to make suitable provision to reimburse Moses Kessel for all legitimate costs and expenses incurred in and about a certain proceeding brought against him by the people of the State of New York on the relation of Andrew Zeizer, and the said Andrew Zeizer in establishing and maintaining his right and title to and in a certain office in the county of Kings known and designated as commissioner of charities in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brodsky moved that this House do adjourn, to meet again at 10 o'clock.

Mr. Travis moved to strike out "10" and insert "9."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Travis, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, as amended, and it was determined in the affirmative.

And at 1 o'clock and 30 minutes the House adjourned.

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### THURSDAY MORNING, MAY 27, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

Mr. Alvord moved to dispense with the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to postpone indefinitely all proceedings under the call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

*Resolved* (if the Assembly concur), That the Secretary of State be and he is hereby authorized and directed to cause the election laws now in force in this State to be compiled and published in pamphlet form, with such notes, explanations, forms and instructions, as in his opinion may be necessary; and that he cause the same, when published, to be distributed through the several county clerks to the several town clerks and inspectors of election in this State; and that the same be so distributed on or before October 1, 1880.

Mr. Alvord moved to amend as follows: At the end of line 4, insert "or which may become laws at this session of the Legislature;" after the word "clerks," in line 10, insert the words "in sufficient numbers to supply a copy to each."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein, with amendments.

Mr. Speaker appointed as the committee of investigation of the Cypress Hills Cemetery Association of Queens county, pursuant to resolution of the House, Messrs. Wren, Russell, Clowes, Lindsay and Benedict, of Kings.

By unanimous consent,

Mr. Peck introduced a bill entitled "An act to legalize the acts of William Newcomb, a justice of the peace of the town of DePeyster, St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Douglass	McCabe	Sisson
Andrews	Duell	McDonald	Skinner
Baker, B. F.	Ellis	McTernan	Slingerland
Baker, C. S.	Ferris	Miller	Steele
Beates	Fish	Mitchell	Tallmadge
Benedict, T. E.	Fitzgerald	Mooers	Terpeny
Bradley	Gibbs	Morgan	Terry
Bridges	Gillette	Newman	Tozier
Brodsky	Gorsline	Nowlan	Travis
Bullock	Griggs	Peck	Treanor
Carpenter, I. S.	Gwinup	Phillips	Tully
Case	Hagan	Pitcher	Tuthill, H. H.
Chamberlain	Havens	Potts	Tuttle, R. M.
Clancy	Howland	Root	Van Valkenburgh
Clowes	Hurd	Russell	Warner
Congdon	Kennedy	Sanders	Waterbury
Cookinham	Lefever	Seeley	Wells, D. A.
Crapser	Liddle	Shanley	Wells, J. L.
Cullinan	Lindsay	Sheridan	Weston
Davis	Low	Shuit	Wren
Deane	McAvoy	Sipp	Youngs

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costello	Lindsay	Sipp
Andrews	Crapser	Low	Sisson
Baker, C. S.	Cullinan	McCabe	Skinner
Beach	Curtis	Miller	Steele
Beates	Cushing	Mooers	Tallmadge
Benedict, E. D.	Davis	Morgan	Terpeny
Benedict, T. E.	Deane	Newman	Terry
Bradley	Douglass	Nowlan	Tormey
Brennan	Duell	O'Brien	Tozier
Bridges	Ferris	Parker	Travis
Brodsky	Fitzgerald	Peck	Treanor
Bullock	Gibbs	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gillette	Pitcher	Tuttle, R. M.
Case	Griggs	Potts	Van Valkenburgh
Chamberlain	Hagan	Roberts	Varnum
Chickering	Hayes	Root	Warner
Childs	Hoffman	Russell	Waterbury
Clancy	Howland	Sanders	Wells, J. L.
Clowes	Hurd	Seeley	Weston
Cohen	Kennedy	Sheridan	Wren
Congdon	Lefever	Sherman	Youngs
Cookinham	Liddle	Shuit	Mr. Speaker



*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curtis	Low	Sipp
Andrews	Davis	McCabe	Sisson
Baker, B. F.	Deane	McDonald	Skinner
Baker, C. S.	Douglass	Miller	Steele
Beach	Duell	Mooers	Tallmadge
Beates	Ellis	Morgan	Terry
Benedict, E. D.	Ferris	Newman	Thilemann
Bradley	Fiske	Nowlan	Tozier
Brennan	Fitzgerald	Peck	Travis
Bridges	Gillette	Phillips	Treanor
Brodsky	Griggs	Pitcher	Tuthill, H. H.
Bullock	Hagan	Potts	Tuttle, R. M.
Carpenter, I. S.	Hayes	Roberts	Van Valkenburgh
Chamberlain	Hoffman	Root	Varnum
Childs	Howland	Russell	Warner
Olwes	Hurd	Sanders	Waterbury
Congdon	Kennedy	Seeley	Wells, J. L.
Cookinham	Lefever	Shanley	Weston
Costello	Liddle	Sherman	Wren
Crapser	Lindsay	Shuit	Youngs
Cullinan			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Davis	McAvoy	Sisson
Baker, C. S.	Deane	McCabe	Skinner
Beach	Dougherty	McDonald	Steele
Beates	Douglass	Miller	Tallmadge
Benedict, E. D.	Duguid	Mooers	Terpeny
Bradley	Ellis	Morgan	Terry
Brennan	Evans	Newman	Thilemann
Bridges	Ferris	Nowlan	Tozier
Brodsky	Fitzgerald	O'Connor	Travis
Bullock	Griggs	Peck	Treanor

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Carpenter, I. S.	Hagan	Phillips	Tuttle, R. M.
Chickering,	Hayes	Pitcher	Van Valkenburgh
Childs	Hoffman	Potts	Varnum
Clancy	Howland	Rhodes	Warner
Clark	Hurd	Roberts	Waterbury
Clowes	Husted	Russell	Wells, D. A.
Cohen	Kennedy	Seeley	Wells, J. L.
Cookinham	Lefever	Sherman	Weston
Costello	Liddle	Shuit	Wren
Cushing	Lindsay	Sipp	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }  
ALBANY, *May* 26, 1880. }

*To the Assembly :*

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 218, entitled "An act to further amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,' as amended by chapter 446 of the Laws of 1879, and supplemental thereto," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Deane	McAvoy	Sisson
Baker, B. F.	Dougherty	McCabe	Skinner
Baker, C. S.	Douglass	Miller	Steele
Beach	Duell	Mooers	Tallmadge
Beates	Duguid	Morgan	Terpeny
Benedict, E. D.	Ellis	Newman	Terry
Benedict, T. E.	Evans	Nowlan	Thilemann
Bradley	Ferris	Peck	Tozier
Brennan	Fitzgerald	Phillips	Travis
Bridges	Gibbs	Pitcher	Treanor
Brodsky	Gillette	Potter	Tuthill, H. H.
Bullock	Gorsline	Potts	Tuttle, R. M.
Case	Hagan	Roberts	Van Valkenburgh
Chickering	Hayes	Root	Varnum
Childs	Howland	Russell	Warner
Clancy	Hurd	Sanders	Waterbury
Clark	Husted	Seeley	Wells, D. A.
Clowes	Kennedy	Shanley	Wells, J. L.
Cohen	Lefever	Sherman	Weston
Congdon	Liddle	Shuit	Wren
Cookinham	Lindsay	Sipp	Youngs
Davis	Low		

On motion of Mr. Davis, and by unanimous consent, said bill was amended in words following :

Insert as section 6, "Steuben county shall be excepted from the operations of this act."

Change section 6 to section 7.

Mr. Cookinham moved to reconsider the vote by which said amendment was made to said bill by unanimous consent.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Davis moved to recommit said bill to the committee on ways and means, with instruction to amend said bill in words following:

Insert as section 6, "Steuben county shall be excepted from the operations of this act."

Change number of section 6 to 7.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 48 }  
{ NOES 40 }

Those who voted in the affirmative, were

Alvord	Childs	Gillette	Shanley
Andrews	Clancy	Grosse	Sheridan
Baker, B. F.	Clark	Hayes	Sisson
Baker, O. S.	Clowes	Kennedy	Steele
Beach	Cohen	Lefever	Tallmadge
Beates	Costello	McDonald	Terpeny
Benedict, E. D.	Curtis	Mooers	Terry
Brennan	Cushing	Morgan	Tuthill, H. H.
Brodsky	Davis	Newman	Tuttle, R. M.
Bullock	Dougherty	Phillips	Varnum
Carpenter, I. S.	Ferris	Potts	Walsh
Case	Fitzgerald	Seeley	Warner

Those who voted in the negative, were

Benedict, T. E.	Duell	Husted	Sherman
Bradley	Duguid	Liddle	Shuit
Bridges	Ellis	Lindsay	Sipp
Carpenter, E. A.	Fish	Low	Skinner
Catlin	Fiske	McTernan	Tozier
Congdon	Gray	Miller	Travis
Cookinham	Griggs	Parker	Waterbury
Crapser	Gwinup	Pitcher	Wells, D. A.
Deane	Havens	Roberts	Wells, J. L.
Douglass	Hurd	Sanders	Youngs

Senate bill entitled "An act to repeal chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands situate in the towns of Blooming Grove and Chester, in the county of Orange,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Cullinan	Liddle	Sisson
Andrews	Curtis	Lindsay	Skinner
Baker, C. S.	Davis	Low	Steele
Beach	Deane	McAvoy	Tallmadge
Beates	Douglass	McCabe	Terry
Benedict, E. D.	Duell	McCarthy	Thilemann
Benedict, T. E.	Duguid	Mooers	Tozier
Bridges	Fitzgerald	Morgan	Travis
Brodsky	Gillette	Newman	Treanor
Bullock	Gorsline	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gray	O'Brien	Tuttle, R. M.
Case	Griggs	Peck	Varnum
Clark	Hayes	Potter	Warner
Olowes	Howland	Russell	Wells, D. A.
Cohen	Hurd	Seeley	Wells, J. L.
Congdon	Kennedy	Sherman	Weston
Costello	Lefever	Sipp	Wren

Those who voted in the negative, were

Bradley	Miller	Rhodes	Slingerland
Fish	Phillips	Roberts	Walsh
Havens	Pitcher	Root	Waterbury
Hoffman	Potts		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to plankroads and turnpike companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shanley
Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Shuit
Baker, C. S.	Davis	Low	Sisson
Beach	Deane	McCabe	Slingerland
Beates	Dougherty	McCarthy	Tallmadge
Benedict, E. D.	Douglass	Miller	Terpeny
Benedict, T. E.	Duguid	Mooers	Thilemann
Brennan	Evans	Morgan	Titus
Bridges	Ferris	Newman	Tozier
Brodsky	Fish	Nowlan	Travis
Bullock	Fiske	Peck	Treanor
Carpenter, E. A.	Fitzgerald	Phillips	Tuthill, H. H.
Carpenter, I. S.	Gibbs	Pitcher	Tuttle, R. M.
Case	Gray	Potter	Varnum
Chamberlain	Griggs	Potts	Warner
Chickering	Hagan	Rhodes	Waterbury
Childs	Hayes	Roberts	Wells, D. A.
Clark	Howland	Root	Wells, J. L.

Cohen  
Congdon  
Cookinham

Hurd  
Husted  
Kennedy

Russell  
Sanders  
Seeley

Weston  
Wren  
Youngs

Those who voted in the negative, were  
Clowes

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the reading in courts and proceedings of the compilation entitled 'The special and local laws affecting public interests in the city of New York, and to declare the effect thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Benedict, T. E.  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, I. S.  
Case  
Catlin  
Chickering  
Childs  
Clark  
Clowes  
Congdon  
Cookinham  
Crapser

Cullinan  
Curtis  
Davis  
Deane  
Dougherty  
Douglass  
Duell  
Duguid  
Evans  
Ferris  
Fish  
Gibbs  
Gray  
Griggs  
Hayes  
Hoffman  
Howland  
Hurd  
Husted  
Kennedy  
Lefever

Liddle  
Lindsay  
Low  
McAvoy  
McDonald  
Miller  
Mooers  
Morgan  
Newman  
Nowlan  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders  
Seeley

Sheridan  
Sherman  
Shuit  
Sipp  
Sisson  
Steele  
Tallmadge  
Terry  
Titus  
Tozier  
Travis  
Tuthill, H. H.  
Tuttle, R. M.  
Van Valkenburgh  
Warner  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Weston  
Wren  
Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 378), entitled "An act to empower the board of trustees of West Troy to construct a sewer in Utica street in said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. T. E. Benedict, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Oullinan	Liddle	Shuit
Andrews	Curtis	Lindsay	Sipp
Baker, B. F.	Cushing	Low	Sisson
Baker, C. S.	Davis	McAvoy	Skinner
Beach	Deane	McCabe	Steele
Beates	Douglass	McDonald	Terpeny
Benedict, E. D.	Duell	McTernan	Terry
Benedict, T. E.	Duguid	Miller	Thilemann
Bradley	Ferris	Mooers	Tozier
Brennan	Fish	Morgan	Travis
Bridges	Gibbs	Newman	Treanor
Brodsky	Gillette	Nowlan	Tuthill, H. H.
Bullock	Gorsline	Phillips	Tuttle, R. M.
Carpenter, L. S.	Gray	Pitcher	Van Valkenburgh
Chamberlain	Griggs	Potter	Warner
Chase	Havens	Potts	Waterbury
Chickering	Hayes	Rhodes	Wells, D. A.
Childs	Howland	Root	Wells, J. L.
Clark	Hurd	Russell	Weston
Clowes	Husted	Sanders	Wren
Congdon	Kennedy	Seeley	Youngs
Crapser	Lefever	Sherman	

Those who voted in the negative, were  
Slingerland

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 324, general orders 587, entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State prisons, and for the more efficient and economical management of said prisons,'" and that the same be now put upon its passage.

Mr. Varnum moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 55 }  
{ NOES 36 }

Those who voted in the affirmative, were

Alvord	Clowes	Low	Seeley
Baker, B. F.	Congdon	McCabe	Sisson
Baker, C. S.	Crapser	Mitchell	Skinner
Beach	Cullinan	Mooers	Slingerland
Beates	Curtis	Morgan	Travis
Brennan	Davis	Nowlan	Tuttle, R. M.

Bridges  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Chamberlain  
Chickering  
Childs  
Clark

Douglass  
Duguid  
Fish  
Griggs  
Howland  
Ingersoll  
Kennedy  
Lefever

Peck  
Phillips  
Pitcher  
Potter  
Potts  
Roberts  
Root  
Sanders

Van Valkenburgh  
Varnum  
Waterbury  
Wells, D. A.  
Weston  
Youngs  
Mr. Speaker

Those who voted in the negative, were

Benedict, E. D.  
Benedict, T. E.  
Bennett  
Bradley  
Brodsky  
Clancy  
Cohen  
Costello  
Cushing

Dougherty  
Evans  
Fitzgerald  
Gibbs  
Grosse  
Gwinup  
Hagan  
Havens  
Hayes

Lindsay  
McAvoy  
McCarthy  
McTernan  
Newman  
O'Connor  
Rhodes  
Russell  
Shanley

Sheridan  
Tallmadge  
Thilemann  
Tozier  
Treanor  
Walsh  
Warner  
Wells, J. L.  
Wren

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to provide ways and means for the support of government," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Andrews  
Baker, B. F.  
Baker, C. S.  
Beach  
Beates  
Benedict, E. D.  
Benedict, T. E.  
Bradley  
Brennan  
Bridges  
Brodsky  
Bullock  
Carpenter, E. A.  
Carpenter, I. S.  
Case  
Catlin  
Chase  
Childs  
Clancy  
Clark  
Clowes  
Cohen

Congdon  
Costello  
Crapser  
Cullinan  
Curtis  
Cushing  
Davis  
Deane  
Douglass  
Duell  
Evans  
Ferris  
Fish  
Fiske  
Gillette  
Gorsline  
Gray  
Griggs  
Hagan  
Hayes  
Hoffman  
Howland  
Hurd

Husted  
Kennedy  
Lefever  
Liddle  
Lindsay  
Low  
McCabe  
McDonald  
Miller  
Mooers  
Morgan  
Nowlan  
Peck  
Phillips  
Pitcher  
Potter  
Potts  
Rhodes  
Roberts  
Root  
Russell  
Sanders

Seeley  
Shanley  
Sheridan  
Sipp  
Sisson  
Skinner  
Slingerland  
Steele  
Tallmadge  
Terry  
Titus  
Tozier  
Treanor  
Tuthill, H. H.  
Tuttle, R. M.  
Van Valkenburgh  
Varnum  
Warner  
Waterbury  
Wells, D. A.  
Wells, J. L.  
Wren

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.



Senate bill entitled "An act for the relief of Thomas Cottman," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 48 }  
{ NOES 38 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lefever	Sheridan
Andrews	Cushing	McAvoy	Shuit
Baker, C. S.	Davis	McCarthy	Strait
Beach	Deane	Mooers	Tallmadge
Beates	Dougherty	Morgan	Terpeny
Bennett	Fiske	Newman	Terry
Brodsky	Fitzgerald	Nowlan	Thilemann
Bullock	Ellis	O'Brien	Van Valkenburgh
Carpenter, E. A.	Gray	O'Connor	Walsh
Clancy	Hagan	Potter	Wells, D. A.
Comstock	Hayes	Roberts	Wells, J. L.
Costello	Kennedy	Shanley	Wren

Those who voted in the negative, were

Benedict, T. E.	Cookinham	Lindsay	Seeley
Bradley	Crapser	Low	Sipp
Brennan	Curtis	McCabe	Sisson
Bridges	Douglass	Miller	Skinner
Carpenter, I. S.	Duguid	Mitchell	Slingerland
Chamberlain	Ellis	Peck	Tozier
Chickering	Fish	Potts	Treanor
Childs	Gillette	Rhodes	Tuttle, R. M.
Clark	Griggs	Russell	Waterbury
Congdon	Havens		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

Senate bill entitled "An act in relation to cleaning the streets of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Congdon	Kennedy	Russell
Andrews	Cookinham	Lefever	Sanders
Baker, B. F.	Crapser	Liddle	Sherman
Baker, C. S.	Curtis	Lindsay	Shuit
Beach	Cushing	Low	Sipp
Beates	Davis	McCabe	Sisson.
Benedict, E. D.	Deane	McCarthy	Skinner
Brennan	Duell	McDonald	Steele
Bridges	Duguid	Miller	Tallmadge
Brodsky	Evans	Mitchell	Terry

Bullock	Ferris	Mooers	Thilemann
Carpenter, E. A.	Fish	Morgan	Titus
Carpenter, I. S.	Fitzgerald	Newman	Tozier
Chamberlain	Gillette	Nowlan	Travis
Chase	Gorsline	O'Brien	Treanor
Chickering	Gray	Peck	Tuttle, R. M.
Childs	Hagan	Phillips	Van Valkenburgh
Clancy	Hayes	Pitcher	Warner
Clark	Howland	Potter	Waterbury
Olowes	Hurd	Potts	Wells, J. L.
Cohen	Husted	Roberts	Weston
Comstock	Ingersoll	Root	Wren

Those who voted in the negative, were  
Shanley Walsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

*To the Legislature :*

Your committee of conference to whom were referred the remaining matters of difference between the two Houses on Assembly bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," beg leave respectfully to report that they have met and have duly considered such matters of difference, and have agreed to recommend that the Senate shall concur in the Assembly bill as it passed the Assembly after the same is amended by adding to section 1 the following words: "And for Robert F. McIntyre, \$61.35. And after changing the gross amount appropriated from \$13,449.28 to \$13,570.63.

And your committee further report that they have agreed to recommend that the Senate shall concur in passing Assembly bill, printed No. 797, entitled "An act to establish a State Board of Audit and to define its powers and duties." All of which is respectfully submitted.

ALBANY, *May 27*, 1880.

W. D. BRENNAN,  
THOS. G. ALVORD,  
I. S. CARPENTER,  
*Assembly Committee.*

LOREN B. SESSIONS,  
JOHN C. JACOBS,  
WM. B. WOODIN,  
*Senate Committee.*

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Crapser	Lefever	Shuit
Andrews	Cullinan	Liddle	Sipp
Baker, B. F.	Curtis	Lindsay	Sisson
Beach	Davis	Low	Skinner
Beates	Deane	McAvoy	Slingerland
Benedict, E. D.	Dougherty	McCabe	Steele
Bradley	Douglass	McCarthy	Tallmadge
Brennan	Duell	Miller	Terry
Bridges	Duguid	Mitchell	Thilemann

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Brodsky	Evans	Mooers	Titus
Bullock	Fish	Morgan	Tozier
Carpenter, E. A.	Fiske	Nowlan	Travis
Carpenter, I. S.	Gillette	O'Brien	Treanor
Case	Gorsline	Peck	Tuthill, H. H.
Catlin	Gray	Phillips	Tuttle, R. M.
Chamberlain	Griggs	Potter	Van Valkenburgh
Chase	Gwinup	Potts	Varnum
Chickering	Hayes	Roberts	Warner
Childs	Hoffman	Root	Waterbury
Clark	Howland	Russell	Wells, D. A.
Clowes	Hurd	Sanders	Wells, J. L.
Comstock	Husted	Seeley	Weston
Congdon	Ingersoll	Sherman	Wren
Costello	Kennedy		

Those who voted in the negative, were

Benedict, T. E.      Cushing

*Ordered*, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

The Senate sent for concurrence the bill entitled "An act to amend an act entitled 'An act supplemental to the Code of Civil Procedure,' passed May 6, 1880," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Howland	Sheridan
Andrews	Crapser	Hurd	Sherman
Baker, B. F.	Cullinan	Husted	Shuit
Baker, O. S.	Curtis	Ingersoll	Sipp
Beach	Cushing	Kennedy	Sisson
Beates	Davis	Lefever	Skinner
Benedict, E. D.	Deane	Liddle	Slingerland
Benedict, T. E.	Dougherty	Lindsay	Steele
Bradley	Douglass	Low	Tallmadge
Brennan	Duell	McAvoy	Terry
Bridges	Duguid	McCabe	Titus
Brodsky	Ellis	McCarthy	Tozier
Bullock	Evans	Miller	Travis
Carpenter, E. A.	Ferris	Mitchell	Tuthill, H. H.
Carpenter, I. S.	Fish	Mooers	Tuttle, R. M.
Case	Fiske	Morgan	Van Valkenburgh
Catlin	Gibbs	Newman	Varnum
Chamberlain	Gillette	Nowlan	Warner
Chase	Gorsline	Peck	Waterbury
Chickering	Gray	Potts	Wells, D. A.
Childs	Griggs	Roberts	Wells, J. L.
Clark	Grosse	Root	Weston
Clowes	Gwinup	Russell	Wren

Comstock  
Congdon

Hayes  
Hoffman

Sanders

Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The committee of conference to which was referred the matter of difference between the two Houses respecting Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" report that they have met and considered such business and respectfully reports as follows:

Add at end of section 2, "the counties of St. Lawrence, Cayuga, Albany, Broome, Cortland, Jefferson; Ulster, Greene, Schoharie, Otsego, Monroe, Warren, Oneida, Madison, Delaware and Schenectady, are hereby exempted from the provisions of this act."

E. M. MADDEN,  
GEO. B. LORD,  
JAMES STEVENS,

H. GRIGGS,  
M. SHUIT,  
R. G. HAVENS.  
NATHAN BRIDGES.

*Senate committee.*

*Assembly committee.*

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Cushing	Howland	Russell
Baker, B. F.	Davis	Hurd	Sanders
Baker, C. S.	Deane	Husted	Sheridan
Beach	Dougherty	Ingersoll	Sherman
Beates	Douglass	Kennedy	Shuit
Benedict, T. E.	Duell	Lefever	Sisson
Bradley	Evans	Liddle	Skinner
Brennan	Ferris	Lindsay	Slingerland
Bridges	Fish	Low	Steele
Brodsky	Fitzgerald	McAvoy	Terry
Chamberlain	Gibbs	McCabe	Thilemann
Chase	Gillette	McCarthy	Walsh
Clark	Gray	Mead	Warner
Clowes	Griggs	Miller	Waterbury
Cohen	Grosse	Mitchell	Wells, D. A.
Comstock	Havens	Phillips	Wells, J. L.
Cookinham	Hayes	Pitcher	Weston
Curtis	Hoffman	Potts	Wiley

Those who voted in the negative, were

Andrews	Chickering	Morgan	Tallmadge
Bullock	Congdon	Roberts	Tozier
Carpenter, E. A.	Gwinup	Root	Travis
Carpenter, I. S.	Mooers		

Mr. Clowes moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," was lost.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Clark	Gray	Seeley
Andrews	Clowes	Griggs	Shanley
Baker, B. F.	Cohen	Gwinup	Sheridan
Baker, C. S.	Comstock	Hurd	Shuit
Beach	Congdon	Lindsay	Sipp
Beates	Costello	Low	Sisson
Benedict, E. D.	Crafts	McAvoy	Skinner
Benedict, T. E.	Curtis	McTernan	Slingerland
Bradley	Davis	Mitchell	Steele
Bridges	Dougherty	Mooers	Strait
Bullock	Douglass	Newman	Tallmadge
Carpenter, I. S.	Ellis	Parker	Terry
Oatlin	Evans	Potter	Tuttle, R. M.
Chamberlain	Fiske	Rhodes	Varnum
Chase	Fitzgerald	Roberts	Wells, D. A.
Chickering	Gillette	Root	Wren
Clancy	Gorsline	Russell	

Those who voted in the negative, were

Brennan	Cushing	McCarthy	Travis
Brotsky	Duell	Miller	Walsh
Cookinham	Fish	Morgan	Waterbury
Crapser	Havens	Sherman	Wells, J. L.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Clancy	Havens	Russell
Andrews	Clark	Hayes	Sanders
Baker, B. F.	Clowes	Howland	Seeley
Baker, C. S.	Comstock	Ingersoll	Sheridan
Beach	Congdon	Liddle	Sherman
Beates	Cookinham	Lindsay	Shuit
Benedict, E. D.	Curtis	Low	Sisson
Benedict, T. E.	Davis	McDonald	Skinner
Brennan	Deane	Mitchell	Slingerland
Bridges	Dougherty	Morgan	Steele
Brotsky	Duguid	Newman	Tallmadge
Bullock	Evans	Parker	Terry
Carpenter, E. A.	Ferris	Phillips	Tuttle, R. M.
Carpenter, I. S.	Fiske	Pitcher	Van Valkenburgh

Case	Gorsline	Potter	Varnum
Catlin	Gray	Potts	Warner
Chamberlain	Griggs	Rhodes	Waterbury
Chase	Grosse	Roberts	Wells, D. A.
Chickering	Gwinup	Root	Wren
Childs			

Those who voted in the negative, were

Cohen	Fitzgerald	McAvoy	Walsh
Crapser	Gibbs	McCabe	Wells, J. L.
Ellis	Hoffman	Miller	Youngs
Fish			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to printing and publishing the Code of Criminal Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cookinham	Ingersoll	Shanley
Andrews	Crapser	Kennedy	Sherman
Baker, B. F.	Cullinan	Lefever	Shuit
Baker, C. S.	Curtis	Liddle	Sipp
Beach	Cushing	Lindsay	Sisson
Beates	Davis	Low	Skinner
Benedict, E. D.	Deane	McCabe	Tallmadge
Benedict, T. E.	Duell	McDonald	Terpeny
Bradley	Duguid	McTernan	Terry
Brennan	Evans	Miller	Tozier
Bridges	Ferris	Mitchell	Travis
Brodsky	Fish	Mooers	Treanor
Bullock	Fiske	Morgan	Tully
Carpenter, E. A.	Gillette	Nowlan	Tuthill, H. H.
Carpenter, I. S.	Gorsline	Peck	Tuttle, R. M.
Catlin	Gray	Phillips	Van Valkenburgh
Chamberlain	Griggs	Pitcher	Warner
Chase	Gwinup	Potter	Waterbury
Chickering	Hagan	Rhodes	Wells, D. A.
Childs	Hayes	Roberts	Wells, J. L.
Clark	Howland	Root	Weston
Clowes	Hurd	Russell	Wren
Congdon	Husted	Sanders	Youngs

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the board of regents," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Crapser	Liddle	Sherman
Andrews	Cullinan	Lindsay	Shuit
Baker, B. F.	Curtis	Low	Sipp
Baker, C. S.	Davis	McCabe	Sisson
Beach	Deane	McCarthy	Slingerland
Beates	Douglass	McDonald	Steele
Benedict, E. D.	Duell	Mead	Tallmadge
Bennett	Evans	Miller	Thilemann
Bradley	Ferris	Mooers	Titus
Brennan	Fish	Morgan	Tozier
Bridges	Fiske	Newman	Travis
Brodsky	Fitzgerald	Nowlan	Treanor
Bullock	Gorsline	Peck	Tuttle, R. M.
Carpenter, E. A.	Gray	Phillips	Van Valkenburgh
Carpenter, I. S.	Griggs	Pitcher	Varnum
Catlin	Hagan	Potter	Warner
Chase	Hayes	Potts	Waterbury
Chickering	Howland	Rhodes	Wells, D. A.
Clark	Hurd	Roberts	Wells, J. L.
Clowes	Husted	Root	Weston
Congdon	Ingersoll	Russell	Wren
Cookinham	Kennedy	Seeley	Youngs
Costello	Lefever	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Shanley offered for the consideration of the House a resolution in the words following:

*Resolved*, That all other orders of business be suspended in order to go into committee of the whole on Senate bill No. 397, entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer, in the cities of the State of New York in which the population by the last State census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The committee of conference appointed by the Senate and Assembly to consider the points of difference between the two Houses in relation to Assembly bill No. 90, entitled "An act to protect Central Park in the city of New York and the streets bordering upon the same from encroachments by elevated railroads," respectfully report that having met and considered the same they recommend as follows:

That the Assembly concur in the amendments following made by the Senate, viz.: Change title so as to read as follows:

"An act in relation to elevated railroads in the city of New York."

Strike out all after the enacting clause and insert as follows:

Section 1. It shall not be lawful to grant, use or occupy, for the purpose of an elevated railroad, any street, avenue, public park, area or public place in that portion of the city of New York lying south of Harlem river and Spuyten Duyvil creek and north of the southerly line of Fulton street, except the streets, avenues, parks and public places in which an elevated railroad is now constructed in whole or in



part, nor shall any elevated railroad be constructed over the sidewalk of, or on State street from Battery place to Whitehall street; but the structure of the New York Elevated Railroad Company now on the Battery park may be continued, maintained and used by said company. Nothing herein contained shall be construed to affect any right heretofore given by the report of the rapid transit commissioners, so called, to any elevated railroad company now operating a railroad to cross the Harlem river or to approach a point or place of crossing, or to operate, maintain or use any railroad it now has, nor to affect any right now existing in any elevated railroad company to construct, maintain and use an elevated railroad from Second avenue through River street to Eighth avenue and from West Broadway to Chatham street and through Chatham street to Division street. But no elevated railroad shall be hereafter built in the city of New York, north of Harlem river and Spuyten Duyvil creek, except pursuant to chapter 606 of the Laws of 1875. Nothing in this act contained shall be deemed to take from the Metropolitan Transit Company any of the rights and privileges granted to said company by chapter 833 of the Laws of 1872, except that no elevated railroad under said act shall be constructed along Forty-second street, or streets bounding Reservoir square, or on Broadway or through Morningside park.

§ 2. No railroad, elevated or surface, hereafter constructed shall run over or upon the surface of any park in the city of New York.

§ 3. This act shall take effect immediately.

ROBERT H. STRAHAN,  
FERDINAND EIDMAN,  
E. HOGAN,

*Senate Committee.*

CHARLES S. BAKER,  
E. A. CARPENTER,  
JOHN SHANLEY,

*Assembly Committee.*

I dissent from all of the foregoing report and recommend that Assembly bill No. 90 as it passed the Assembly be adhered to.

JAMES M. VARNUM,  
*Of the Assembly Committee.*

ALBANY, May 26, 1880.

Mr. Varnum moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Senate bill entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer.'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cookinham	Lefever	Sherman
Andrews	Crapser	Liddle	Shuit
Baker, B. F.	Cullinan	Lindsay	Sipp
Baker, C. S.	Davis	McAvoy	Sisson
Beach	Deane	McCabe	Skinner
Beates	Douglass	McDonald	Steele

MAY 27.]

1867

Benedict, E. D.	Duell	McTernan	Tallmadge
Benedict, T. E.	Evans	Mfller	Terry
Brennan	Ferris	Mitchell	Thilemann
Bridges	Fish	Mooers	Tormey
Brodsky	Fiske	Morgan	Travis
Bullock	Fitzgerald	Newman	Treanor
Carpenter, I. S.	Gillette	Nowlan	Tuthill, H. H.
Catlin	Gorsline	Phillips	Tuttle, R. M.
Chamberlain	Gray	Pitcher	Van Valkenburgh
Chase	Hagan	Potter	Varnum
Chickering	Hayes	Potts	Warner
Childs	Hoffman	Roberts	Waterbury
Clancy	Howland	Root	Weston
Clark	Hurd	Russell	Wren
Clowes	Husted	Sanders	Youngs
Congdon	Kennedy	Seeley	

Those who voted in the negative, were

Curtis	Ingersoll	Wells, J. L.
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES	93 }
{ NOES	1 }

Those who voted in the affirmative, were

Alvord	Deane	Lindsay	Sipp
Andrews	Douglass	Low	Sisson
Baker, B. F.	Duell	McAvoy	Skinner
Baker, C. S.	Ellis	McCabe	Slingerland
Beach	Evans	McDonald	Terpeny
Beates	Ferris	Miller	Terry
Benedict, E. D.	Fish	Mitchell	Thilemann
Bradley	Fiske	Mooers	Titus
Brennan	Gibbs	Newman	Tormey
Bridges	Gillette	Nowlan	Tozier
Brodsky	Gorsline	Peck	Travis
Bullock	Gray	Phillips	Treanor
Carpenter, I. S.	Griggs	Pitcher	Tuthill, H. H.
Case	Hagan	Potter	Tuttle, R. M.
Chamberlain	Hayes	Potts	Van Valkenburgh
Chase	Hoffman	Rhodes	Varnum
Chickering	Howland	Roberts	Warner
Clark	Hurd	Root	Waterbury
Clowes	Husted	Russell	Wells, D. A.
Cohen	Ingersoll	Sanders	Wells, J. L.
Congdon	Kennedy	Seeley	Weston
Cookinham	Lefever	Sherman	Wren

Cullinan  
Davis

Liddle

Shuit

Youngs

7

Those who voted in the negative, were  
Curtis

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Husted offered for the consideration of the House a resolution in the words following :

*Resolved*, That a committee of two be appointed to wait upon the Governor, to inform him that the Assembly has completed its business, and is ready to adjourn sine die.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Husted and Shanley.

The Senate returned the concurrent resolution authorizing the Comptroller to compile, publish and distribute the election laws of the State, with a message that they had concurred in the amendments of the Assembly thereto.

*Ordered*, That the Clerk return said resolution to the Senate.

Mr. Alvord offered for the consideration of the House a resolution in the words following :

*Resolved*, That a committee of two be appointed to wait upon the Honorable the Senate, to inform that body that the Assembly has completed its business, and is ready to adjourn sine die.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Alvord and Hoffman.

Senate bill entitled "An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Lindsay	Sipp
Andrews	Davis	Low	Sisson
Baker, B. F.	Deane	McCarthy	Skinner
Baker, C. S.	Dougherty	McDonald	Slingerland
Beach	Douglass	Mead	Tallmadge
Beates	Evans	Miller	Terpeny
Benedict, E. D.	Ferris	Mooers	Terry
Bradley	Fish	Morgan	Tormey
Brennan	Fitzgerald	Newman	Tozier
Bridges	Gillette	Nowlan	Travis
Brodsky	Gorsline	Peck	Treanor
Bullock	Gray	Phillips	Tully
Carpenter, E. A.	Grosse	Pitcher	Tuthill, H. H.
Catlin	Gwinup	Potter	Tuttle, R. M.

Chamberlain	Hagan	Potts	Varnum
Chase	Hayes	Roberts	Warner
Chickering	Howland	Root	Waterbury
Childs	Hurd	Russell	Wells, D. A.
Clowes	Husted	Sanders	Wells, J. L.
Comstock	Ingersoll	Seeley	Weston
Congdon	Kennedy	Sheridan	Wren
Cookinham	Lefever	Sherman	Youngs
Crapser	Liddle		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Andrews	Cullinan	Liddle	Sheridan
Baker, B. F.	Curtis	Lindsay	Sherman
Baker, C. S.	Davis	Low	Shuit
Beach	Deane	McAvoy	Sipp
Beates	Douglass	McCabe	Sisson
Benedict, E. D.	Duell	McCarthy	Skinner
Benedict, T. E.	Evans	McDonald	Slingerland
Brennan	Ferris	Miller	Tallmadge
Bridges	Fish	Mitchell	Terpeny
Brodsky	Fitzgerald	Mooers	Terry
Bullock	Gibbs	Morgan	Tormey
Carpenter, E. A.	Gorsline	Peck	Tozier
Carpenter, I. S.	Gray	Phillips	Travis
Chamberlain	Grosse	Pitcher	Tuttle, R. M.
Chase	Hagan	Potter	Van Valkenburgh
Childs	Havens	Potts	Varnum
Clark	Hayes	Rhodes	Warner
Clowes	Howland	Roberts	Waterbury
Cohen	Hurd	Root	Wells, J. L.
Congdon	Ingersoll	Russell	Weston
Cookinham	Kennedy	Sanders	Wren
Costello	Lefever	Seeley	Youngs

*Ordered*. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Messrs. Alvord and Hoffman, from the committee on the part of the House to inform the Senate that this House was ready to adjourn, appeared before the bar of the House and stated that they had performed that duty.

Messrs. Husted and Shanley, from the committee on the part of the House to wait upon the Governor and inform him that this House had performed its labor and was ready to adjourn, appeared before the bar of the House and stated that they had performed that duty.

Senate bill entitled "An act to provide for the establishment and management of a permanent fund for the Buffalo Society of Natural Sciences," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cullinan	Ingersoll	Shuit
Andrews	Curtis	Kennedy	Sipp
Baker, B. F.	Cushing	Lefever	Sisson
Baker, C. S.	Davis	Liddle	Skinner
Beach	Deane	Lindsay	Slingerland
Beates	Duell	Low	Steele
Benedict, E. D.	Duguid	McDonald	Tallmadge
Bradley	Ellis	McTernan	Terpeny
Brennan	Evans	Mead	Terry
Bridges	Ferris	Miller	Titus
Brodsky	Fish	Mitchell	Tormey
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Morgan	Travis
Carpenter, I. S.	Gibbs	Newman	Treanor
Chamberlain	Gillette	Potts	Tuttle, R. M.
Chase	Gray	Rhodes	Van Valkenburgh
Chickering	Griggs	Roberts	Varnum
Childs	Grosse	Root	Waterbury
Clark	Hayes	Russell	Wells, D. A.
Clowes	Hoffman	Sanders	Wells, J. L.
Constock	Howland	Seeley	Weston
Congdon	Hurd	Sheridan	Wiley
Cookinham	Husted	Sherman	Wren
Crapser			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to regulate the transportation of freight by railroad corporations," with a message that they had passed the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Every railroad corporation shall give to all persons reasonable and equal terms, facilities and accommodations for the transportation of any merchandise or other property of every kind and description, not dangerous in character, on like and contemporaneous shipments upon any railroad owned or operated by such corporation and for terminal handling, the use of the depot or other buildings and grounds of such corporation. All railroad corporations whose railroads are or shall hereafter be crossed, intersected or joined by any other railroad shall receive from each other and forward to their destination all goods, merchandise and other property intended for points on their respective roads, with the same dispatch and at a rate of freight not exceeding the local tariff charged for similar goods, merchandise or other property received at and forwarded from the same point for individuals and other corporations. Nothing in this act contained, however, shall be construed to change the existing laws in relation to express companies.

§ 2. No railroad corporation shall charge or receive for the transportation of freight to any station on its road a greater sum than is charged or received for the contemporaneous transportation of the like kind and quality of freight from the same original point of departure to a station at a greater distance on its road in the same direction. Two or more railroad corporations, whose roads connect, shall not charge or receive for the transportation of freight to any station on the road of either of them a greater sum than is charged or received for the contemporaneous transportation of the like kind and quality of freight from the same original point of departure, to a station at a greater distance on the road of either of them in the same direction. This shall not be construed as compelling railroad corporations to make joint rates.

§ 3. No railroad corporation shall by the grant or allowance of any secret rate, secret rebate, or secret drawback upon the transportation of freight, or by any other unreasonable allowance for the use of cars, or by any other undue advantage whatever, indirectly charge to or receive from any person or persons, or association or corporation for the transportation of freight to any station on its road any greater sum, compensation or reward than is charged to or received from any other person or persons, association or corporation for like and contemporaneous service in the receipt, transportation, storage, delivery, or handling of freight of the like kind and quantity, under like circumstances and conditions, from the same original point of departure to a station at a greater distance on its road in the same direction.

§ 4. Any railroad corporation which knowingly violates any of the provisions of this act, in addition to liability for all damages sustained by reason of such violation, to be recovered by the party aggrieved, shall be liable to a penalty of \$50, which may be recovered in an action of tort, to be brought in the name of the people of this State, in any county where such corporation has property, at the instance of the State Engineer and Surveyor, to the use of the State by the Attorney-General; provided, however, that no such action shall be maintained unless the same shall be brought within six months from the date of such violation. The transportation of coal coming into this State or passing through it shall be exempted from the operation of this act.

§ 5. Nothing in this act shall be so construed as to prevent railroad corporations from making rates or carrying free of charge for the State, county, town or world fairs, or for charitable purposes, and the rates made for such purposes shall not be held or construed to be the charge or receipt for transportation of freight under the provisions of this act.

§ 6. This act shall take effect on the first day of July, 1880.

Said bill was laid on the table.

The Senate returned Assembly bill, printed No. 668, entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 12, insert at end thereof the following, viz.: "And excepting the proviso at the end of section 1 of chapter 81 of the Laws of 1816."

Add at end of section 3 the following: "Any assessments imposed

either for the opening or otherwise improving either of said streets, shall be borne by the property abutting on said streets respectively, from the Fifth avenue to the Harlem river."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 106 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curtis	Lefever	Sheridan
Andrews	Cushing	Liddle	Sherman
Baker, B. F.	Davis	Lindsay	Shuit
Baker, C. S.	Deane	Low	Sipp
Beach	Dougherty	McAvoy	Sisson
Beates	Douglass	McCabe	Skinner
Benedict, E. D.	Duell	McCarthy	Slingerland
Benedict, T. E.	Duguid	McDonald	Steele
Bradley	Ellis	McTernan	Strait
Brennan	Evans	Mead	Tallmadge
Bridges	Ferris	Miller	Terry
Brodsky	Fish	Mitchell	Tormey
Bullock	Fiske	Mooers	Tozier
Carpenter, E. A.	Fitzgerald	Newman	Travis
Carpenter, I. S.	Gibbs	Nowlan	Treanor
Case	Gillette	Peck	Tuthill, H. H.
Chamberlain	Gorsline	Phillips	Tuttle, R. M.
Chase	Gray	Pitcher	Van Valkenburgh
Chickering	Griggs	Potter	Varnum
Childs	Grosse	Potts	Warner
Clark	Hayes	Rhodes	Waterbury
Clowes	Hoffman	Roberts	Wells, D. A.
Cohen	Howland	Root	Wells, J. L.
Comstock	Hurd	Russell	Weston
Congdon	Husted	Sanders	Wiley
Cookinham	Ingersoll	Seeley	Wren
Crapser	Kennedy		

Those who voted in the negative, were

Cullinan

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Andrews offered for the consideration of the House a resolution in the words following:

*Resolved*, That the committee of the whole be discharged from the consideration of Assembly bill No. 818, entitled "An act to prohibit disfranchisement," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the following bills:

"An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874.'"

"An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act relating to fees, percentages and allowances of public offi-



cers a burden upon and a charge against the various cities of the State."

"An act to incorporate the 'Empire Yacht Club' of the city of New York."

"An act for relief of Isaac Piser."

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

"An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

"An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

"An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State."

"An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State Board of Audit and to define its powers and duties.'"

"An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego.'"

"An act to compel the maintenance of certain lights on draw bridges across the Hudson river."

"An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the superintendent of the banking department to return the securities held by him to secure such circulation."

"An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York."

"An act for the relief of Babette Stemmler."

"An act to encourage improvement in steam propulsion upon the Champlain canal."

"An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,' and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State.'"

"An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848."

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 520 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways.'"

"An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York."

“An act relating to the title to personal property.”

“An act to amend section 1323 of the Code of Civil Procedure.”

“An act to amend chapter 824 of the Laws of 1873, entitled ‘An act to amend section 19 of chapter 570 of the Laws of 1872, entitled ‘An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled ‘An act to amend an act entitled ‘An act in relation to elections in the city and county of New York.’”

“An act to authorize the improvement of the public squares, parks or places in the Fourth avenue between 67th and 96th streets in the city of New York.”

“An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers.”

“An act in relation to the opening of streets, avenues and public parks or places in the city of New York.”

“An act providing for the appointment of an additional number of commissioners of deeds in the city of New York.”

“An act to amend chapter 554 of the Laws of 1873, entitled ‘An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county.’”

“An act to amend section 11 of an act entitled ‘An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York.’”

“An act to amend chapter 332 of the Laws of 1875, entitled ‘An act to amend chapter 610 of Laws of 1873, entitled ‘An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester.’”

“An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town.”

“An act to amend chapter 482 of the Laws of 1875, entitled ‘An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.’”

“An act to amend section 2 of chapter 405 of the Laws of 1879, entitled ‘An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878.’”

“An act to amend chapter 26 of the Laws of 1878, entitled ‘An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster falling due in said years.’”

“An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same.”

“An act to amend chapter 8 of part 3 of the Revised Statutes, entitled ‘Of distraining cattle and other chattels doing damage, and of distraining in other cases.’”

“An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure.”

"An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben."

"An act to provide for payment of the expense of certain proceedings against public officers in the city of New York."

"An act for the better security of the bonds of public officers and others."

"An act relating to certain assessments for local improvements in the city of New York."

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend section 435 of the Code of Civil Procedure."

"An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

"An act for the appointment of game and fish protectors."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to regulate voting by stock and bondholders of railroad corporations."

"An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded."

"An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county."

"An act establishing an agricultural experiment station."

"An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York."

"An act entitled 'An act to regulate the licensing of physicians and surgeons.'"

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which said company may commence operations.'"

"An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized."

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to grant relief to the sureties of trustees appointed by the supreme court of the State of New York."

"An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings."

"An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown.'"

"An act in relation to the sale and conveyance of any interest in real estate belonging to idiots or lunatics or habitual drunkards."

"An act in relation to receivers of insolvent corporations."

"An act supplemental to chapter 326 of the Laws of 1874, entitled 'An act to provide for improvements in and adjoining the first ward in Long Island City.'"

"An act in relation to arrears of regular rents and charges for Croton water in the city of New York."

"An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, and to reduce the burden of taxes to be levied in said city.'"

"An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in cities of 16,000 inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities."

"An act to amend the Code of Criminal Procedure."

"An act to authorize the commissioner of highways of the town of Newark Valley, in the county of Tioga, to ascertain and establish the location of the several highways situated in the said town, and to reduce descriptions thereof to writing, and to have the same recorded in the office of the town clerk of said town in the place of the records thereof destroyed by fire on the 15th day of October, 1879."

"An act to legalize the official acts of Henry G. Wood, as notary public."

"An act to transfer the duties of the bonding commissioners of the city of Poughkeepsie, appointed by an order of the county court of Dutchess county on the 30th day of July, 1870, to the common council of the city of Poughkeepsie."

"An act to incorporate the Grand Lodge Knights of Honor of the State of New York."

"An act in relation to the Methodist Episcopal Church Home in the city of New York."

"An act to provide for the payment to Mrs. Ann Church, widow of the late Sanford E. Church Chief Judge of the Court of Appeals, the chief judge's salary for the unexpired portion of the year 1880, since the decease of the late chief judge."

"An act in relation to Furman street in the city of Brooklyn."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

"An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized."

"An act to amend chapter 33 of Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York, and chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516, Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York and supplemental thereto.'"

"An act to exempt the town of Henderson from the provisions of chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county Jefferson, and to confirm the actions of the legal voters of said town in the election of an overseer of the poor.'"

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica.'"

"An act supplementary to chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York.'"

"An act to provide for the election of a messenger for the common council of the city of Brooklyn."

"An act to authorize the trustees of the village of Piermont, in the county of Rockland, to macadamize the highway in said village."

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code.'"

"An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office."

"An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

"An act to provide ways and means for support of government."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the following resolutions:

*Whereas*, The boundary line between the counties of Kings and Queens, from where the corporation line of the city of Brooklyn ends at the town of New Lots, Kings county, to the Atlantic ocean, is undefined and unsettled, and is a constant source of dispute; and,

*Whereas*, No commission appointed by the Legislature has ever been able to agree as to a proper line between the said counties of Kings and Queens;

*Resolved* (if the Senate concur), That the representatives now in the Assembly from the twelfth district of Kings, and from the second district of Queens, shall constitute a committee who, together with two reputable civil engineers whom they shall have power to employ, shall investigate and examine into the matter of where said boundary line is intended to be. They shall cause the same to be properly mapped, and shall report the result of their investigation and examination to the next Legislature for proper action to cause the same to be permanently fixed and described. They shall hold sessions during the recess of the Legislature for completing such investigation and examination, and shall have power to employ counsel and a clerk and to send for persons and papers during such time, and shall hold such sessions in the towns of New Lots and Jamaica, as such committee shall deem most convenient and desirable.

Mr. Pitts, from the committee on the part of the Senate, appeared before the bar of the House and stated that the Senate had performed its labor and were ready to adjourn.



Mr. Husted offered for the consideration of the House a resolution in the words following:

*Resolved*, That the Clerk be directed to prepare and furnish 1,200 copies of the Clerk's and Crosswell's Manual, for the regulation of business in the Assembly, and that he distribute such copies in the following manner, viz.: One copy to each of the members of the next Legislature to be forwarded to them previous to the meeting of the next Legislature, and the remainder to be retained by the Clerk subject to the order of the next Assembly, and to be delivered to the Clerk thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Speaker announced the following appointments pursuant to chapter 379 of the Laws of 1879:

To remain after the session: William N. Haskell, Speaker's Clerk; John G. Blampied, Asst. Postmaster; Anderson D. Lawrence, Clerk's Messenger.

To attend at the opening of the next session: Assistant Doorkeepers—John Christie, David Goddell, George Coughtry. Messengers—James H. Manville, Bank Messenger; Anderson D. Lawrence, Clerk's Messenger. Pages—Ralph Murdock, Frank Hull, William Hogan, Winfield S. Stone, Charles L. Fosdick, Daniel Morrison.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

*Resolved*, That the thanks of the members of this Assembly be and are hereby tendered to the Hon. George H. Sharpe for the courteous, impartial and patient manner in which he has presided, as Speaker, over the Assembly of 1880.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Treanor offered for the consideration of the House a resolution in the words following:

*Resolved*, That the thanks of the members of this Assembly be and are hereby tendered to Edward M. Johnson for the careful, faithful and efficient discharge of the duties of his office as Clerk of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Clancy offered for the consideration of the House a resolution in the words following:

*Whereas*, By due trial and strict examination the Assistant Clerks, Engrossing Clerks, Messengers, Sergeant-at-Arms, Pages, etc., have, during the present session of the Legislature, showed the utmost esteem and respect toward the members of this House, been efficient in the discharge of their duties, and have done and performed every thing in their power toward promoting the welfare of the members individually, and promoting, by their skill and endurance, the business of the House; therefore,

*Resolved*, That the thanks of this House be and they are hereby tendered to the Assistant Clerks, Engrossing Clerks, Sergeant-at-Arms, Doorkeepers, Messengers, Pages, etc.; and be it further

*Resolved*, That a copy of this preamble and resolutions be entered in full upon the journal of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker resumed the Chair and addressed the House in words following :

GENTLEMEN -- I do not intend to trust myself any further in the expression of gratitude which your kindness to me has called forth. I have, however, one duty to perform. Perhaps I have seen every member of the House more often and more continuously than any other member. I am, therefore, fully impressed with the exceptional spirit which exists among these members. Perhaps no body of men ever came to Albany and left it with higher regard, each for the other. I therefore beg leave to convey from each one of you to the other a wish for your health, happiness and prosperity; that you may return, each to an unbroken family, blessed by the smiles of Almighty God. And now, gentlemen, in performance of the last duty and by virtue of the joint resolution of the two Houses of this Legislature, I declare this House adjourned without day.

E. M. JOHNSON, *Clerk.*



## **ERRATA.**

**Page 1046, line 10, after the word "resolved" strike out the words  
"if the Senate concur."**

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